

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

Lynk Labs, Inc.,

Plaintiff,

v.

Home Depot USA, Inc., The Home Depot Inc.,
and Home Depot Product Authority, LLC,

Defendants.

Case No. 6:21-cv-00097-ADA

JURY TRIAL DEMANDED

**ANSWER TO FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT,
ADDITIONAL DEFENSES AND COUNTERCLAIMS**

Home Depot USA, Inc. (“HDUSA”), The Home Depot, Inc. (“THD”), and Home Depot Product Authority, LLC (“HDPa”) (collectively “Defendants” or “Home Depot”)¹ hereby file their Answer and Additional Defenses to Plaintiff Lynk Labs, Inc.’s (“Plaintiff” or “Lynk”) First Amended Complaint for Patent Infringement (“Complaint”), as follows:

NATURE OF THE ACTION

Complaint No. 1: This is a civil action arising under the patent laws of the United States, 35 U.S.C. § 1 et seq., specifically including 35 U.S.C. § 271, based on Home Depot’s willful infringement of U.S. Patent Nos. 10,492,251 (the “251 Patent”); 10,757,783 (the “783 Patent”); 10,091,842 (the “842 Patent”); 10,932,341 (the “341 Patent”); 10,537,001 (the “001 Patent”); 10,349,479 (the “479 Patent”); 10,652,979 (the “979 Patent”); 10,154,551 (the “551

¹ The Home Depot, Inc. is an improperly named holding company, which does not manufacture, use, sell or offer for sale any device accused of infringement in this case or operate the orange box stores or Home Depot’s online presence, and should accordingly be dismissed from this case.

Patent”); and 10,517,149 (the “149 Patent”) (collectively “the Patents-in-Suit”). The Patents-in-Suit are attached hereto as Exhibits A–I.

Answer to Complaint No. 1: Defendants admit that Plaintiff purports to bring a patent infringement action under Title 35 of the United States Code, but Defendants specifically deny all allegations of infringement. Defendants admit that what purports to be the Patents-in-Suit are attached as Exhibits A-I to the Complaint.

THE PARTIES

Complaint No. 2: Lynk is a corporation incorporated in the State of Illinois with its principal place of business at 2511 Technology Drive, Suite 108, Elgin, Illinois 60124. Before then, Lynk’s principal place of business was 585 Tollgate Road, Suite E, Elgin, Illinois 60017.

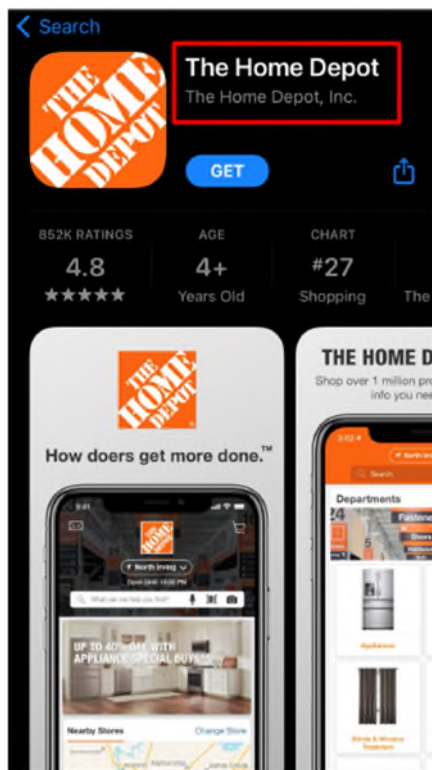
Answer to Complaint No. 2: Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore deny them.

Complaint No. 3: Upon information and belief, HDUSA is a Delaware corporation with its principal place of business at 2455 Paces Ferry Road, Atlanta, Georgia 30339. HDUSA operates physical stores in this District, including at 1803 North I-35 Bellmead Waco, Waco, Texas 76705 and at 5605 W Waco Dr., Waco, Texas 76710, at which HDUSA sells products to customers in this District, including the products accused of infringement in this case. Likewise, HDUSA operates at least one distribution center in this District, including at 10815 Sentinel St., San Antonio, Texas 78217.

Answer to Complaint No. 3: Defendants admit HDUSA is a Delaware corporation with its principal place of business at 2455 Paces Ferry Road, Atlanta, Georgia 30339, and that HDUSA operates (i) a distribution center at 10815 Sentinel St., San Antonio, Texas, and (ii) certain stores in this District through which at least certain of the accused products in this case

can be purchased. Defendants deny that HDUSA has committed any act of infringement in this District or any other district.

Complaint No. 4: Upon information and belief, THD is a Delaware corporation with its principal place of business at 2455 Paces Ferry Road, Atlanta, Georgia 30339. THD operates a Home Depot Technology Center at 13011B McCallen Pass, Austin, Texas 78753. Likewise, THD owns and operates BlackLocus, a “Home Depot Innovation Lab,” at 101 W 6th Street, Suite 700, Austin, Texas 78701. Additionally, THD operates an app available for iOS and Android devices on which THD sells products to customers in this District, including the products accused of infringement in this case:



Answer to Complaint No. 4: Defendants admit that THD is a Delaware corporation with its principal place of business at 2455 Paces Ferry Road, Atlanta, Georgia 30339. Defendants state that BlackLocus, Inc. merged into HDP A and that it retains an office in the District, and that the branding at www.blacklocus.com with respect to Home Depot speaks for

itself. To the extent the allegations of this paragraph of the Complaint distort or mischaracterize that branding they are denied. Defendants deny that THD has committed any act of infringement in this District or any other district, and deny the remaining allegations of this paragraph.

Complaint No. 5: Upon information and belief, HDPA is a Georgia limited liability company with its principal place of business at 2455 Paces Ferry Road, Atlanta, Georgia 30339. HDPA operates www.homedepot.com, and sells products on that website to customers in this District, including the products accused of infringement in this case.

Answer to Complaint No. 5: Defendants admit that HDPA is a Georgia limited liability company with its principal place of business at 2455 Paces Ferry Road, Atlanta, Georgia 30339. Defendants admit HDPA owns certain intellectual property rights to the content at www.homedepot.com, but deny that it sells products on that website to customers in this District, and deny that HDPA has committed any act of infringement in this District or any other district.

Complaint No. 6: HDUSA, THD, and HDPA are each individually liable and are jointly and severally liable for infringement of the Patents-in-Suit. Under theories of alter ego, single business enterprise liability, and agency, the conduct of each can be attributed to and considered the conduct of others for purposes of infringement of the Patents-in-Suit. HDUSA, THD, and HDPA have in the past and continue to hold themselves out as a single entity—“Home Depot”—acting in concert, with knowledge of each other’s actions and control over each other.

Answer to Complaint No. 6: The allegations of this paragraph of the Complaint constitute legal conclusions to which no response of Defendants is required. To the extent a response is required, the allegations are denied.

JURISDICTION AND VENUE

Complaint No. 7: This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a) because the claims arise under the patent laws of the United States, 35 U.S.C. § 1 et seq., including 35 U.S.C. § 271.

Answer to Complaint No. 7: The allegations of this paragraph of the Complaint constitute legal conclusions to which no response of Defendants is required.

Complaint No. 8: This Court has personal jurisdiction over Home Depot in this action because its contacts with the Western District of Texas are significant and pervasive. Home Depot has committed acts within the Western District of Texas giving rise to this action and Home Depot has established minimum contacts with this forum such that the exercise of jurisdiction over Home Depot would not offend traditional notions of fair play and substantial justice.

Answer to Complaint No. 8: Defendants admit that certain Home Depot entities have conducted business in the State of Texas and in this District, but deny that they have committed any act of infringement in this District or any other district. The Home Depot, Inc. is an improperly named holding company, which does not manufacture, use, sell or offer for sale any device accused of infringement in this case or operate the orange box stores or Home Depot's online presence, and should accordingly be dismissed from this case. The remaining allegations of this paragraph of the Complaint constitute legal conclusions to which no response of Defendants is required.

Complaint No. 9: On information and belief, Home Depot has committed and continues to commit acts of infringement in this District by, among other things, offering to sell and selling products and/or services that infringe the Patents-in-Suit.

Answer to Complaint No. 9: Denied.

Complaint No. 10: Further, THD operates a Home Depot Technology Center within the District. In a 2018 press release, Home Depot announced that it would hire “approximately 1,000 new technology professionals . . . at its primary technology centers in Atlanta, Austin[,] and Dallas to support initiatives related to its \$11.1 billion three-year strategic investment plan. Exhibit J, The Home Depot to Hire 1,000 Technology Professionals, *available at* <https://www.prnewswire.com/news-releases/the-home-depot-to-hire-1-000-technology-professionals-300632084.html>.

Answer to Complaint No. 10: Defendants admit that a Home Depot-related technology center exists within the District, but deny that THD operates it. Defendants state that Exhibit J speaks for itself, and to the extent the allegations of this paragraph of the Complaint distort or mischaracterize Exhibit J they are denied.

Complaint No. 11: Likewise, THD owns and operates the BlackLocus Home Depot Innovation Lab within the District, which Home Depot characterizes as “a substantial investment in data science, innovation, technology and design.” Exhibit K, Home - BlackLocus, *available at* <https://www.blacklocus.com/#about>. Upon information and belief, THD employees at both the Home Depot Technology Center and BlackLocus have conducted and continue to conduct research related to the products that infringe the Patents-in-Suit.

Answer to Complaint No. 11: Defendants admit that BlackLocus, Inc. was merged into HDP, a THD subsidiary, and that it retains an office within the District. Defendants state that Exhibit K speaks for itself, and to the extent the allegations of this paragraph of the Complaint distort or mischaracterize Exhibit K they are denied. Defendants deny the remaining allegations in this paragraph.

Complaint No. 12: Moreover, HDUSA is registered to do business in the State of Texas, and has appointed Corporation Service Co. DBA CSC - Lawyers Inco, located at 211 E. 7th St. Suite 620, Austin, Texas 78701, as its agent for service of process. Upon information and belief, THD was registered to do business in the State of Texas, and had also appointed Corporation Service Co. DBA CSC - Lawyers Inco, located at 211 E. 7th St. Suite 620, Austin, Texas 78701, as its agent for service of process. Likewise, upon information and belief, HDPa was registered to do business in the State of Texas, and had also appointed Corporation Service Co. DBA CSC - Lawyers Inco, located at 211 E. 7th St. Suite 620, Austin, Texas 78701, as its agent for service of process.

Answer to Complaint No. 12: Defendants admit that HDUSA is registered as a foreign corporation and HDPa has been registered as a foreign corporation with the Texas Secretary of State, and have appointed CSC as an agent for service of process. Responding further, Defendants state that THD is an improperly named holding company, which does not manufacture, use, sell or offer for sale any device accused of infringement in this case or operate the orange box stores or Home Depot's online presence, and should accordingly be dismissed from this case.

Complaint No. 13: Venue is proper in this district under 28 U.S.C. §§ 1391 and 1400(b).

Answer to Complaint No. 13: The allegations of this paragraph of the Complaint constitute legal conclusions to which no response of Defendants is required. Defendants deny that venue in this District is convenient for the parties and witnesses.

Complaint No. 14: Home Depot has a physical presence and a regular and established place of business in the Western District of Texas, including its retail orange box stores, its

distribution center(s), the Home Depot Technology Center, and BlackLocus, as detailed above.

Home Depot further sells products out of its retail orange box stores through both its

[homedepot.com](https://www.homedepot.com) website and on the Home Depot app.

Answer to Complaint No. 14: Defendants incorporate their responses to paragraphs 3, 5 and 10-11 *supra* herein. The remaining allegations of this paragraph constitute conclusions of law to which no response of Defendants is required.

Complaint No. 15: In *H-E-B, LP v. Wadley Holdings, LLC, d/b/a Nice COOLERS*, Case No. 6:20-CV-00081-ADA, HDUSA and HDPA admitted that they do business in the State of Texas and that they maintain regular and established places of business within this Judicial District. *See* ECF 30, Answer at ¶ 13. Similarly, in *LedComm LLC v. The Home Depot, Inc.*, Case No. 6:20-cv-00946, HDUSA again conceded it does business in the State of Texas and operates retail stores in this District. *See generally* ECF 14.

Answer to Complaint No. 15: Defendants state that the documents cited by Plaintiff in this paragraph speak for themselves, and to the extent the allegations of this paragraph of the Complaint distort or mischaracterize those pleadings they are denied.

Complaint No. 16: Further, Home Depot has committed acts of infringement in this District.

Answer to Complaint No. 16: Denied.

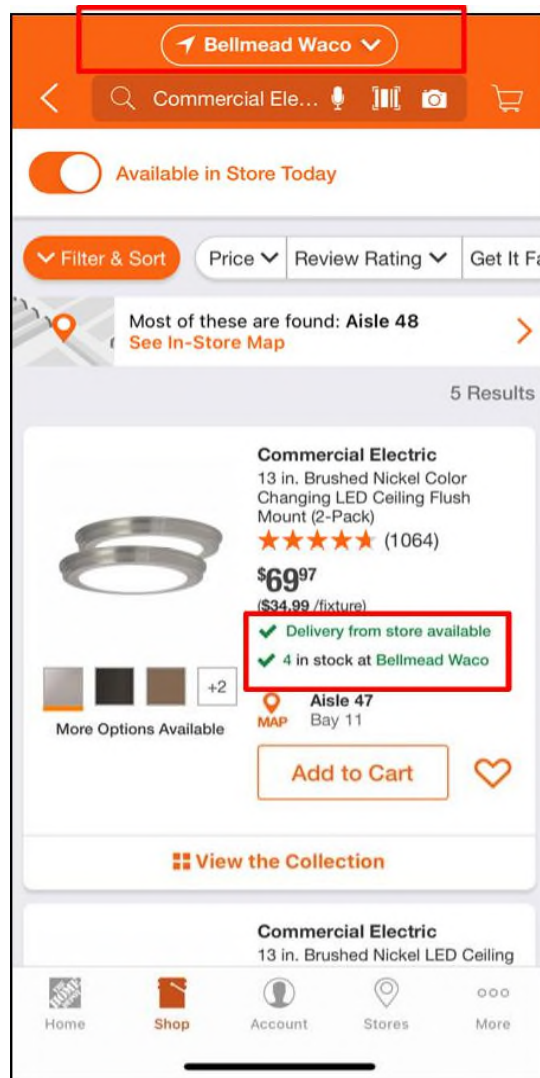
Complaint No. 17: For example, the accused Commercial Electric 13 in. Brushed Nickel Color Changing LED Ceiling Flush Mount (SKU: 1003 334 178) is available for sale to customers in this District at HDUSA's retail orange box stores:

The screenshot shows the Home Depot mobile app interface. At the top, the product name is displayed: "Commercial Electric 13 in. Brushed Nickel Color Changing LED Ceiling Flush Mount (2-Pack)". Below this, a search bar shows "21 stores near 76705 carry this item". A search filter bar includes options for "Pick Up Date" (selected), "Distance", "Number In Stock", "List", and "Map". The results list four stores with their respective distances and stock levels:

Qty	Pick up in store	Distance	Store Name & Address
<input type="text"/>	4 IN STOCK	0.67 miles away	Bellmead Waco #6830 Store Hours Curbside Available 1803 North I-35 Bellmead Waco, Waco, TX 76705 254-867-8575
<input type="text"/>	17 IN STOCK	8.29 miles away	Waco #6532 Store Hours Curbside Available 5605 W Waco Dr, Waco, TX 76710 254-772-8177
<input type="text"/>	5 IN STOCK	39.68 miles away	Temple #6863 Store Hours Curbside Available 3550 S General Bruce Dr, Temple, TX 76504 254-773-3870
<input type="text"/>	8 IN STOCK	49.37 miles away	Corsicana #6817 Store Hours Curbside Available 2290 S I-45, Corsicana, TX 75109 903-875-1934

Answer to Complaint No. 17: Defendants admit the Commercial Electric 13 in. Brushed Nickel Color Changing LED Ceiling Flush Mount (SKU: 1003 334 178) is currently available for purchase in at least certain Home Depot orange box stores in this District.

Complaint No. 18: The accused Commercial Electric 13 in. Brushed Nickel Color Changing LED Ceiling Flush Mount is available for sale to customers in this District on THD's phone-based app:



Answer to Complaint No. 18: Defendants admit the Commercial Electric 13 in. Brushed Nickel Color Changing LED Ceiling Flush Mount (SKU: 1003 334 178) is currently available for purchase in this District on the Home Depot App. Defendants deny that THD operates this app.

Complaint No. 19: The accused Commercial Electric 13 in. Brushed Nickel Color Changing LED Ceiling Flush Mount is available for sale to customers in this District on HDPA's [homedepot.com](https://www.homedepot.com/p/Commercial-Electric-13-in-Brushed-Nickel-Color-Changing-LED-Ceiling-Flush-Mount-2-Pack-JJU3011L-2-BN/305607242) website: <https://www.homedepot.com/p/Commercial-Electric-13-in-Brushed-Nickel-Color-Changing-LED-Ceiling-Flush-Mount-2-Pack-JJU3011L-2-BN/305607242>.

Answer to Complaint No. 19: Defendants admit the Commercial Electric 13 in. Brushed Nickel Color Changing LED Ceiling Flush Mount (SKU: 1003 334 178) is currently available for purchase in this District on www.homedepot.com . Defendants deny the characterization that this is “HDPA’s www.homedepot.com website.”

Complaint No. 20: Upon information and belief, the other products accused of infringement in this Complaint are similarly sold in this District through HDUSA’s retail orange box stores, THD’s app, and HDPA’s homedepot.com website.

Answer to Complaint No. 20: Defendants admit that at least certain of the voluminous number of accused products in this case are currently available for purchase in this District at Home Depot orange box stores operated by HDUSA, through the Home Depot App and/or at www.homedepot.com. Defendants deny that they have committed any act of infringement in this District or any other district, and deny the remaining allegations of this paragraph.

Complaint No. 21: Further, on information and belief, Home Depot knowingly expanded their products incorporating Lynk’s patented technology based on research taking place at Home Depot’s Technology Center and/or BlackLocus in this District.

Answer to Complaint No. 21: Denied.

FACTUAL BACKGROUND

Complaint No. 22: Lynk was founded in 1997 by Mike Miskin, who is and was President and CEO of Lynk. Since its inception, Lynk has been a technology pioneer, challenging industry understanding of conventional physics, beginning with technology in fields such as broadband communications, wireless communications, and wireless power.

Answer to Complaint No. 22: Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore deny them.

Complaint No. 23: In the early 2000s, after being negatively impacted by the telecom bubble, Lynk needed to explore other market opportunities to reshape the company. While trying to continue to innovate in telecommunications, high speed backplanes, wireless power, etc., Lynk realized it could also apply and advance some of its technology in the general lighting field. At that time, the development of light emitting diode (“LEDs”) for general lighting uses was still in its very early stages. Over the course of the next several years, Lynk developed and patented pioneering innovations that are now common place in the LED lighting industry including but not limited to: LED lighting systems driven by constant voltage power supplies, smart LED lighting systems, warm dim or warm glow LED lighting devices, LED lighting devices and/or systems allowing users to select the brightness and/or color temperature of light, vintage/filament style LED light bulbs, LED replacement tubes, direct AC mains connected LED assemblies known as driver-onboard (“DoB”), and LED lighting devices with an integrated universal voltage driver (“Integrated Driver”).

Answer to Complaint No. 23: Defendants deny that the patents-in-suit are novel or non-obvious. Defendants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations set forth in this paragraph, and therefore deny them.

Complaint No. 24: A significant percentage of Home Depot’s total revenue is derived from sales of lighting products, and lighting products in the preceding categories dominate the lighting products on Home Depot’s shelves.

Answer to Complaint No. 24: Defendants admit that Home Depot derives revenue from the sale of lighting products. The remaining allegations of this paragraph are generalized, vague, and laden with subjective characterizations. To the extent a response is required, Defendants deny the allegations and characterizations of this paragraph.

Complaint No. 25: Lynk's groundbreaking research, which continues to this day, has consistently cut directly against conventional wisdom in the industry, resulting in inventions that are now common in the industry.

Answer to Complaint No. 25: Denied.

Complaint No. 26: Lynk was, and still is, a small American business that supplies LED lighting assemblies, modules, lamps, drivers, and system solutions.

Answer to Complaint No. 26: Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore deny them.

Complaint No. 27: Lynk has witnessed with dismay the increasing presence of Lynk's patented technology on the shelves of Home Depot stores, including Home Depot's private label LED lighting products under the Commercial Electric, Hampton Bay, EcoSmart, and Home Decorator's Collection brands.

Answer to Complaint No. 27: Denied.

Complaint No. 28: Prior to LED technology being advanced and developed by companies such as Lynk to meet general lighting requirements, Home Depot did not offer many private label lighting products. As LED technology became more popular over the past decade, Home Depot has increased its private label LED lighting product line and brand awareness for those lines, growing its profits at the expense of the lighting industry.

Answer to Complaint No. 28: Defendants admit that LED technology and Home Depot private label LED lights have become more popular over the past decade. The remaining allegations of this paragraph are generalized, vague, and laden with subjective characterizations.

To the extent a response is required, Defendants deny the allegations and characterizations of this paragraph.

Complaint No. 29: Today, Home Depot has several brands of LED lamps, LED luminaires, and LED lighting systems that directly compete with LED lighting companies, including but not limited to Home Depot's own suppliers, the same way LED lighting companies compete with each other generally. Home Depot's private label LED lighting business segment, is a lighting business like any LED lighting company, not just a sales channel.

Answer to Complaint No. 29: Defendants admit that Home Depot maintains certain brands for LED products. The remaining allegations in this paragraph are generalized, vague, and laden with subjective characterizations. To the extent a response is necessary, Defendants deny the allegations and characterizations of this paragraph.

Complaint No. 30: As Home Depot's private label LED lighting business grew, it became apparent that Lynk had to do something to protect its business.

Answer to Complaint No. 30: Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore deny them.

Complaint No. 31: On January 4, 2018, Mr. Miskin was introduced to Aaron Stein, Eric Snyder, and Kevin Doughty of Home Depot. At that time, Mr. Miskin presented the Lynk patent portfolio to Home Depot and identified a number of infringing Home Depot products. Lynk optimistically presented the situation as an opportunity for a potential strategic partnership.

Answer to Complaint No. 31: Defendants admit Mr. Miskin was introduced to certain Home Depot employees in or about January 2018 and presented the opportunity for a strategic partnership and an opportunity to invest in, license or acquire Lynk IP. Defendants deny that

Mr. Miskin “identified a number of [allegedly] infringing Home Depot products” as phrased. Defendants deny that they have committed any act of infringement in this District or any other district. The remaining allegations in this paragraph are generalized, vague, and laden with subjective characterizations. To the extent a response is necessary, Defendants deny the allegations and characterizations of this paragraph.

Complaint No. 32: On January 24, 2018, Mr. Miskin had a further phone call with Mr. Snyder and Craig Brown at which time the parties discussed Lynk’s patent portfolio in detail, including an offer by Lynk for the two companies to explore collaborating on products and Lynk’s intellectual property. Lynk noted then and in a follow-up email that, if the parties could not collaborate in some way, it was necessary for them to begin negotiating the terms of a license to Lynk’s portfolio. *See* Exhibit L. Mr. Snyder rejected Lynk’s proposal that Lynk and Home Depot collaborate.

Answer to Complaint No. 32: Defendants admit Mr. Miskin discussed the opportunity for a strategic partnership and Lynk’s IP portfolio generally with certain Home Depot employees in or about January 2018. Defendants state that Exhibit L speaks for itself, and to the extent the allegations of this paragraph of the Complaint distort or mischaracterize Exhibit L they are denied. Home Depot admits that Mr. Snyder rejected Lynk’s proposal that Lynk and Home Depot collaborate on or about January 31, 2018.

Complaint No. 33: Approximately two weeks later, on February 6, 2018, Mr. Miskin received a letter from Mr. Matthew Nesbitt, Home Depot’s Senior Corporate Counsel - Intellectual Property, seeking additional information about Lynk’s patent portfolio, including a request for detailed infringement analysis of LED products Home Depot was selling. *See* Exhibit M.

Answer to Complaint No. 33: Defendants state that Exhibit M speaks for itself, and to the extent the allegations of this paragraph of the Complaint distort or mischaracterize Exhibit M they are denied. Defendants deny that they have committed any act of infringement in this District or any other district.

Complaint No. 34: On February 7, 2018, Mr. Miskin reiterated to Mr. Nesbitt that Lynk preferred to structure a mutually beneficial business relationship between the parties instead of patent litigation. *See* Exhibit N, p. 2. Lynk informed Home Depot that it would be willing to provide information on how a business relationship or resolution could be formed along with providing detailed claim charts if Home Depot would enter a Non-Disclosure Agreement (“NDA”) with Lynk. *Id.* In that email, Lynk also informed Mr. Nesbitt that Lynk’s patents covered, *inter alia*, correlated color temperature (“CCT”) selectable LED lighting products, down lights, and other products at issue in this case. *See id.*

Answer to Complaint No. 34: Defendants state that Exhibit N speaks for itself, and to the extent the allegations of this paragraph of the Complaint distort or mischaracterize Exhibit N they are denied.

Complaint No. 35: On February 12, 2018, Mr. Nesbitt emailed Mr. Miskin indicating that Home Depot was not willing to sign an NDA as Home Depot desired to share Lynk’s confidential business information with unidentified third parties. *See id.*, p. 1. This was the beginning of Home Depot’s consistent position to Lynk that unidentified third parties, not Home Depot, were responsible for the infringement of Lynk’s intellectual property by Home Depot’s private label products.

Answer to Complaint No. 35: Defendants state that Exhibit N speaks for itself, and to the extent the allegations of this paragraph of the Complaint distort or mischaracterize Exhibit N

they are denied. In particular, Defendants admit Mr. Nesbitt's February 12, 2018 email reads in part, "We are unwilling to enter into an NDA at this time as The Home Depot intends to consult with third parties regarding your allegations." Exhibit N, p. 1. Defendants deny the remaining allegations of this paragraph of the Complaint and deny that they have committed any act of infringement in this District or any other district.

Complaint No. 36: On February 15, 2018, Mr. Miskin replied that Home Depot could share Lynk's confidential business information with third parties so long as those third parties also agreed to the NDA with Lynk. *See id.*

Answer to Complaint No. 36: Defendants state that Exhibit N speaks for itself, and to the extent the allegations of this paragraph of the Complaint distort or mischaracterize Exhibit N they are denied.

Complaint No. 37: Between February 15, 2018, and March 2, 2018, Mr. Miskin contacted Mr. Nesbitt multiple times to try to get Home Depot to sign an NDA with or without other third parties. But Home Depot would not budge, and refused to sign an NDA under any circumstances.

Answer to Complaint No. 37: Defendants admit that Mr. Miskin and Mr. Nesbitt communicated during this time period regarding an NDA and that the issue of including third parties in the NDA was raised. The remaining allegations in this paragraph are generalized, vague, and laden with subjective characterizations. To the extent a response is necessary, Defendants deny the remaining allegations and characterizations of this paragraph.

Complaint No. 38: Upon information and belief, at least since 2018 when Lynk first provided notice of its patent portfolio, Home Depot has studied and focused on the benefits of Lynk's patented technologies in Home Depot's private label LED lighting products.

Answer to Complaint No. 38: Denied.

Complaint No. 39: Upon information and belief, Home Depot knows about the many benefits of Lynk’s patented technology. As one non-limiting example, upon information and belief, Home Depot has studied the benefits of user CCT and/or brightness selectable lighting including, but not limited to, a reduction in carried models and SKUs—which, in turn, increases shelf space—due to the integration of multiple CCT options into a single product, as opposed to carrying a different model for each option. As a result, this also improves inventory control, reduces returns from customers dissatisfied with a particular model’s color of light output, and ultimately reduces costs for Home Depot and its suppliers. Indeed, Home Depot openly advertises Lynk’s patented CCT selectable technology on its private label packages, marking its Commercial Electric and EcoSmart products with “Adjust Color of Light with Integrated Switch”; and its Hampton Bay products with “Adjust Color of Light with a Switch.” Home Depot and its shareholders have seen significant increases in Home Depot’s profits as a result of its willful use of Lynk’s patent technology.

Answer to Complaint No. 39: Defendants admit that Home Depot was generally aware of benefits of CCT Select manually switchable color temperature in LED products well in advance of any discussions with Mr. Miskin, but Defendants deny that they have committed any act of infringement in this District or any other district, deny that they were aware of any “benefits of Lynk patented technology” and in fact deny that any such benefits exist, and deny all allegations of willfulness. Responding further Defendants state that the packaging of EcoSmart and Commercial Electric products speaks for itself, and to the extent the allegations of this paragraph of the Complaint distort or mischaracterize such packaging they are denied.

Complaint No. 40: After failing to make any progress with Home Depot in 2018, Lynk struggled significantly. Huge companies like Home Depot continued to expand its use of Lynk’s technology without compensating Lynk. For a small American business like Lynk, it is a daunting proposition when multi-billion dollar companies knowingly infringe patented technology.

Answer to Complaint No. 40: Defendants deny that they “used Lynk’s technology without compensating Lynk” or committed any act of infringement in this District or any other district. Defendants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations set forth in this paragraph, and therefore deny them.

Complaint No. 41: Despite having received notice of Lynk’s patent portfolio in 2018, Home Depot rapidly expanded its use of Lynk’s technology in its private label brands. Thus, on March 5, 2020, Lynk again provided notice of infringement to Home Depot. Specifically, Lynk identified the following Lynk patent numbers: U.S. Patent Nos. 8,148,905; 8,531,118; 8,648,539; 9,750,098; 9,807,827; 10,091,842; 10,154,551; 10,178,715; 10,349,379; 10,492,251; 10,492,260; 10,499,465; 10,517,149; and 10,537,001; and infringing product categories corresponding to those patents. *See* Exhibits O and O-1 through O-6.

Answer to Complaint No. 41: Defendants deny that they “received notice of Lynk’s patent portfolio in 2018” as phrased, deny they have used Lynk’s technology, and deny they have committed any act of infringement in this District or any other district. Responding further, Defendants state that Exhibits O and O-1 through O-6 speak for themselves, and to the extent the allegations of this paragraph of the Complaint distort or mischaracterize Exhibits O and O-1 through O-6 they are denied.

Complaint No. 42: Lynk brought to Home Depot's attention over 740 separate instances of infringement on one or more of eight different combinations of 17 patents being used in products sold by Home Depot.

Answer to Complaint No. 42: Defendants state that the pre-litigation correspondence attached to the Complaint regarding Lynk's patents speaks for itself, and to the extent the allegations of this paragraph of the Complaint distort or mischaracterize that correspondence they are denied.

Complaint No. 43: On March 9, 2020, Lynk provided an updated notice of infringement correcting an error on a patent number in the original March 5, 2020 list, for U.S. Patent No. 10,575,376, which was originally listed as 10,573,376 in error. *See* Exhibit P.

Answer to Complaint No. 43: Defendants deny that they have committed any act of infringement in this District or any other district. Defendants state that Exhibit P speaks for itself, and to the extent the allegations of this paragraph of the Complaint distort or mischaracterize Exhibit P they are denied.

Complaint No. 44: On April 29, 2020, Home Depot was again notified of its infringement. More specifically, in that letter, Lynk explicitly informed Home Depot that all of its CCT selectable products infringe a number of Lynk patents including: U.S. Patent Nos. 10,349,479; 8,648,539; 9,750,098; 10,091,842; 10,154,551; 10,492,251; 10,492,260; 10,517,149; and 10,537,001. *See* Exhibit Q. Lynk further explicitly informed Home Depot that all of its DoB and Integrated Driver products infringe a number of Lynk patents including: U.S. Patent Nos. 10,154,551; 10,091,842; 10,492,251; and 10,517,149. *Id.* At that time, Lynk also specifically informed Home Depot that its DoB products would infringe U.S. Patent No. 10,652,979, which,

at that time, was an allowed patent application that the United States Patent & Trademark Office had assigned a patent number. *Id.*

Answer to Complaint No. 44: Defendants deny that they have committed any act of infringement in this District or any other district. Defendants state that Exhibit Q speaks for itself, and to the extent the allegations of this paragraph of the Complaint distort or mischaracterize Exhibit Q they are denied.

Complaint No. 45: On May 12, 2020, Home Depot was provided with another letter, in which Lynk reiterated that Home Depot's DoB products were infringing the '979 Patent. *See* Exhibit R. At that point, the '979 Patent had issued as a patent. Moreover, Lynk also gave specific notice to Home Depot of the allowed patent application corresponding with U.S. Patent No. 10,687,400 (the "'400 Patent"). Lynk told Home Depot that its DoB and Integrated Driver products infringe the '400 Patent. *Id.*

Answer to Complaint No. 45: Defendants deny that they have committed any act of infringement in this District or any other district. Defendants state that Exhibit R speaks for itself, and to the extent the allegations of this paragraph of the Complaint distort or mischaracterize Exhibit R they are denied.

Complaint No. 46: Moreover, on July 24, 2020, Lynk notified Home Depot that the patent application corresponding with the '783 Patent had been allowed, and that it would issue in a matter of weeks. Lynk identified exemplary infringing products, and specifically informed Home Depot that all of its CCT selectable products would infringe the claims of the '783 Patent when it issued. *See* Exhibit S.

Answer to Complaint No. 46: Defendants deny that they have committed any act of infringement in this District or any other district. Defendants state that Exhibit S speaks for itself,

and to the extent the allegations of this paragraph of the Complaint distort or mischaracterize Exhibit S they are denied.

Complaint No. 47: During summer through fall 2020, Lynk tried again in good faith to negotiate an agreement with Home Depot. In contrast to 2018, in 2020, Home Depot flip-flopped, and indicated that it wanted to enter into an NDA with Lynk. Accordingly, the vast majority of summer 2020 was spent attempting to get Home Depot to sign a simple NDA. And, after spending considerable time to just enter into an NDA, the parties' negotiations ground to a halt.

Answer to Complaint No. 47: Defendants admit that HDP and Lynk negotiated and entered into an NDA effective July 24, 2020. Defendants admit Home Depot and Lynk communicated during summer 2020 through the fall of 2020. The remaining allegations of this paragraph are generalized, vague, and laden with subjective characterizations. To the extent a response is required, Defendants deny the allegations and characterizations of this paragraph.

Complaint No. 48: On January 12, 2021, Lynk notified Home Depot that the patent application corresponding with the '341 Patent had been allowed, and that it would issue shortly. Lynk identified exemplary infringing products, and specifically informed Home Depot that, *inter alia*, all of its CCT selectable products would infringe the claims of the '341 Patent when it issued. *See* Exhibit T.

Answer to Complaint No. 48: Defendants deny that they have committed any act of infringement in this District or any other district. Defendants state that Exhibit T speaks for itself, and to the extent the allegations of this paragraph of the Complaint distort or mischaracterize Exhibit T they are denied.

Complaint No. 49: Specifically, when the parties began to address the substance of the parties' dispute, Lynk made it clear that it preferred to have Home Depot enter into a Master License Agreement for its private label branded LED lighting products because Home Depot sources many of its private label LED lighting products from a number of different low labor cost international manufacturers and/or suppliers. Lynk explained to Home Depot that the prospect of negotiating with a rotating cast of international vendors was unacceptable, and frankly, unnecessary, given that Home Depot was stocking all of the infringing products on its own shelves. Home Depot refused Lynk's proposal for a Master License Agreement, claiming that patent infringement is solely an issue for its suppliers to resolve with Lynk.

Answer to Complaint No. 49: Defendants admit that Lynk has expressed its preference that Home Depot enter into a Master License Agreement with it, and admit that Home Depot sought to involve its suppliers, who source the accused products, in pre-suit discussions with Lynk. Defendants deny that they have committed any act of infringement in this District or any other district. The remaining allegations in this paragraph are generalized, vague, and laden with subjective characterizations. To the extent a response is necessary, Defendants deny the allegations and characterizations of this paragraph.

Complaint No. 50: Upon information and belief, over the course of Lynk's extensive negotiations with Home Depot in an attempt to be fairly compensated for its patented technology, Home Depot has continued its willful infringement of, and sale of existing products incorporating, *inter alia*, Lynk's CCT and brightness selectable, DoB, and Integrated Driver patents. In fact, Home Depot has actually increased the number of private label product lines using Lynk's patent technology. Two such exemplary products, the Hampton Bay 11 in. Glacier Decorative Border 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910

Lumens Dimmable (SKU: 1002 655 448) (left) and the Hampton Bay 12 in. Diamond Design 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable Energy Star (SKU: 1002 640 558) (right), are shown immediately below:



Answer to Complaint No. 50: Defendants state that the pictures of the Hampton Bay 11 in. Glacier Decorative Border 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable (SKU: 1002 655 448) and the Hampton Bay 12 in. Diamond Design 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable Energy Star (SKU: 1002 640 558) speak for themselves, and to the extent these pictures distort or mischaracterize those products they are denied. Defendants deny the remaining allegations of this paragraph.

Complaint No. 51: In short, Home Depot cannot avoid liability simply because it sells private label products. Because Home Depot has its infringing private label LED products manufactured and sells them in its stores, it must compensate Lynk for the use of its patented technology. Home Depot's position that it can push its infringement issues off onto its rotating cast of manufacturers and/or suppliers is untenable and contrary to patent infringement law.

Answer to Complaint No. 51: Denied.

Complaint No. 52: Home Depot is and has been willfully infringing many of Lynk's patents for years and attempting to transfer its legal responsibilities off to its suppliers with no regard for the ongoing burden it presents to a small business like Lynk. Lynk therefore brings this legal action so that Home Depot will finally take responsibility for its use of Lynk's technology in its private label brands including Commercial Electric, Hampton Bay, EcoSmart, and the Home Decorators Collection.

Answer to Complaint No. 52: Denied.

Complaint No. 53: Lynk has invested almost three years in attempting to resolve Home Depot's infringement of Lynk's patents without litigation, but has been left with no other option but to file the present lawsuit.

Answer to Complaint No. 53: Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations regarding Lynk's "investment" set forth in this paragraph, and therefore deny them. Defendants deny the remaining allegations of this paragraph.

THE PATENTS-IN-SUIT

Complaint No. 54: On November 26, 2019, the '251 Patent, entitled "AC Light Emitting Diode and AC LED Drive Methods and Apparatus," was duly and legally issued by the United States Patent and Trademark Office. A true and accurate copy of the '251 Patent is attached hereto as **Exhibit A**.

Answer to Complaint No. 54: Defendants admit that the '251 Patent entitled, "AC Light Emitting Diode and AC LED Drive Methods and Apparatus," on its face, states that it issued on November 26, 2019. Defendants admit that what purports to be the '251 Patent is

attached as Exhibit A to the Complaint. Defendants deny the remaining allegations of this paragraph.

Complaint No. 55: On August 25, 2020, the '783 Patent, entitled "Color Temperature Controlled and Low THD LED Lighting Devices and Systems and Methods of Driving the Same," was duly and legally issued by the United States Patent and Trademark Office. A true and accurate copy of the '783 Patent is attached hereto as **Exhibit B**.

Answer to Complaint No. 55: Defendants admit that the '783 Patent entitled, "Color Temperature Controlled and Low THD LED Lighting Devices and Systems and Methods of Driving the Same," on its face, states that it issued on August 25, 2020. Defendants admit that what purports to be the '783 Patent is attached as Exhibit B to the Complaint. Defendants deny the remaining allegations of this paragraph.

Complaint No. 56: On October 2, 2018, the '842 Patent, entitled "AC Light Emitting Diode and AC LED Drive Methods and Apparatus," was duly and legally issued by the United States Patent and Trademark Office. A true and accurate copy of the '842 Patent is attached hereto as **Exhibit C**.

Answer to Complaint No. 56: Defendants admit that the '842 Patent entitled, "AC Light Emitting Diode and AC LED Drive Methods and Apparatus," on its face, states that it issued on October 2, 2018. Defendants admit that what purports to be the '842 Patent is attached as Exhibit C to the Complaint. Defendants deny the remaining allegations of this paragraph.

Complaint No. 57: On February 23, 2021, the '341 Patent, entitled "Multi-voltage and multi-brightness LED lighting devices and methods of using same," was duly and legally issued by the United States Patent and Trademark Office. A true and accurate copy of the '341 Patent is attached hereto as **Exhibit D**.

Answer to Complaint No. 57: Defendants admit that the '341 Patent entitled, "Multi-voltage and multi-brightness LED lighting devices and methods of using same," on its face, states that it issued on February 23, 2021. Defendants admit that what purports to be the '341 Patent is attached as Exhibit D to the Complaint. Defendants deny the remaining allegations of this paragraph.

Complaint No. 58: On January 14, 2020, the '001 Patent, entitled "Multi-voltage and Multi-brightness LED Lighting Devices and Methods of Using Same," was duly and legally issued by the United States Patent and Trademark Office. A true and accurate copy of the '001 Patent is attached hereto as **Exhibit E**.

Answer to Complaint No. 58: Defendants admit that the '001 Patent entitled, "Multi-voltage and Multi-brightness LED Lighting Devices and Methods of Using Same," on its face, states that it issued on January 14, 2020. Defendants admit that what purports to be the '001 Patent is attached as Exhibit E to the Complaint. Defendants deny the remaining allegations of this paragraph.

Complaint No. 59: On July 9, 2019, the '479 Patent, entitled "Color Temperature Controlled and Low THD LED Lighting Devices and Systems and Methods of Driving the Same," was duly and legally issued by the United States Patent and Trademark Office. A true and accurate copy of the '479 Patent is attached hereto as **Exhibit F**.

Answer to Complaint No. 59: Defendants admit that the '479 Patent entitled, "Color Temperature Controlled and Low THD LED Lighting Devices and Systems and Methods of Driving the Same," on its face, states that it issued on July 9, 2019. Defendants admit that what purports to be the '479 Patent is attached as Exhibit F to the Complaint. Defendants deny the remaining allegations of this paragraph.

Complaint No. 60: On May 12, 2020, the '979 Patent, entitled "LED Lighting System," was duly and legally issued by the United States Patent and Trademark Office. A true and accurate copy of the '979 Patent is attached hereto as **Exhibit G**.

Answer to Complaint No. 60: Defendants admit that the '979 Patent entitled, "LED Lighting System," on its face, states that it issued on May 12, 2020. Defendants admit that what purports to be the '979 Patent is attached as Exhibit G to the Complaint. Defendants deny the remaining allegations of this paragraph.

Complaint No. 61: On December 11, 2018, the '551 Patent, entitled "AC Light Emitting Diode and AC LED Drive Methods and Apparatus," was duly and legally issued by the United States Patent and Trademark Office. A true and accurate copy of the '551 Patent is attached hereto as **Exhibit H**.

Answer to Complaint No. 61: Defendants admit that the '551 Patent entitled, "AC Light Emitting Diode and AC LED Drive Methods and Apparatus," on its face, states that it issued on December 11, 2018. Defendants admit that what purports to be the '551 Patent is attached as Exhibit H to the Complaint. Defendants deny the remaining allegations of this paragraph.

Complaint No. 62: On December 24, 2019, the '149 Patent, entitled "AC Light Emitting Diode and AC LED Drive Methods and Apparatus," was duly and legally issued by the United States Patent and Trademark Office. A true and accurate copy of the '149 Patent is attached hereto as **Exhibit I**.

Answer to Complaint No. 62: Defendants admit that the '149 Patent entitled, "AC Light Emitting Diode and AC LED Drive Methods and Apparatus," on its face, states that it issued on December 24, 2019. Defendants admit that what purports to be the '149 Patent is

attached as Exhibit I to the Complaint. Defendants deny the remaining allegations of this paragraph.

Complaint No. 63: The Patents-in-Suit represent Lynk's significant investment into the LED space, including decades of research. Lynk has been on the forefront of LED development for nearly twenty years and has over 35 issued patents to show for its efforts.

Answer to Complaint No. 63: Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore deny them.

**FIRST CAUSE OF ACTION
(Infringement of the '251 Patent)**

Complaint No. 64: Lynk incorporates by reference and realleges each and every allegation of Paragraphs 1 through 63 as if set forth herein.



Answer to Complaint No. 64: Defendants incorporate by reference their answers to paragraphs 1 through 63 as if fully set forth herein.

Complaint No. 65: Home Depot imports, offers for sale, and sells certain private label LED lights, which directly infringes at least Claim 11 of the '251 Patent. The infringing products include at least:²

Commercial Electric³	
13 in. Brushed Nickel Color Changing LED Ceiling Flush Mount	SKU: 1003 334 178
13 in. Oil Rubbed Bronze Color Changing LED Ceiling Flush Mount	SKU: 1003 334 179
4 in. Matte White Integrated LED Recessed Trim 5-ways	SKU: 1002 936 200
8 in. Selectable Integrated LED Recessed Retrofit Trimless Trim	SKU: 1004 330 905

² None of the causes of actions in this Complaint accuse any Home Depot private label products manufactured by Feit Electric, Inc.

³ The URL address for each of the products is set forth in the charts attached hereto as **Exhibit U**.


Commercial Electric³	
6 in. Selectable CCT Integrated LED Recessed Light Trim with Night Light Feature 670 Lumens 11-Watt Dimmable	SKU: 1003 456 565
5/6 in. Matte White Integrated LED Recessed Trim 5-Ways	SKU: 1002 936 204
6 in. Selectable Integrated LED Recessed Trim Downlight 30 Configurations in One Fixture High Ceiling Output Dimmable	SKU: 1002 948 990
	
Easy-Up 6 in. Deep Baffle Color Selectable Canless LED Recessed Kit	SKU: 1003 240 066
	

Commercial Electric³	
Spin Light 7 in. White Selectable LED Flush Mount Ceiling Light Closet Laundry Basement 810 Lumens 3000K 4000K 5000K	SKU: 1002 312 164
Augusta 50 in. x 15 in. Low Profile LED Ceiling Light in Black, Washed Gray Frame 4000 Lumens 3000K 4000K 5000K Dimmable	SKU: 1005 179 103
1 ft. x 4 ft. 50W Dimmable White Integrated LED Edge-Lit Deco Flat Panel Flush Mount Ceiling Light with CCT	SKU: 1002 632 077
11 in. 12.5W Dimmable White Integrated LED Edge-Lit Round Flat Panel Flush Mount Ceiling Light with Color Changing CCT	SKU: 1002 632 076
15 in. 22.5-Watt Dimmable White Integrated LED Edge-Lit Round Flat Panel Flush Mount Ceiling Light w/ Color Changing CCT	SKU: 1002 632 072
Moroccan 48 in. x 10 in. Flush Mount Integrated LED Ceiling Light in Dark Bronze 4000 Lumens 3000K 4000K 5000K Dimmable	SKU: 1005 179 080
Ultra Slim Square 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 268
Slim Baffle 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 270
Slim Directional 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 273
Ultra-Spot 4 in. Selectable New Construction and Remodel Color Canless Recessed Integrated LED Kit	SKU: 1004 658 319
6 in. White True Baffle Round Selectable CCT, LED Integrated High Lumen Recessed Lighting Kit, 2700/3000/3500/4000/5000K	SKU: 1004 658 318
4 in. White True Baffle Round Selectable CCT LED Integrated High Lumen Recessed Lighting Kit, 3000/4000/5000K	SKU: 1004 658 321
Slim Directional 6 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 282
Slim Baffle 6 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 279
Ultra Slim 3 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 266
Slim Baffle 3 in. Color Selectable New Construction and Remodel Canless Integrated LED Recessed Kit	SKU: 1004 655 284
Ultra Slim 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 277

Commercial Electric³	
Ultra Slim 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit Oil Rubbed Bronze	SKU: 1004 655 281


Hampton Bay	
9.8-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Spot Light	SKU: 1003 453 329
9.8-Watt Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 535 735
17-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 453 345
9.8-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 453 321
4.5-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 452 837
Mission Industrial 48 in. x 15 in. Brushed Nickel LED Flush Mount Light High Output 5500 Lumens 3000K 4000K 5000K	SKU: 1002 640 555
Mission Industrial 48 in. x 10 in. Rectangle Brushed Nickel LED Flush Mount Ceiling Light 3000 Lumens 3000K 4000K 5000K	SKU: 1002 640 560
Birds Nest Design 20 in. Round Black Selectable LED Flush Mount Ceiling Light 2000 Lumens Dimmable 3000K 4000K 5000K	SKU: 1002 640 556
Birds Nest Design 15 in. Round Black Selectable LED Flush Mount Ceiling Light 1500 Lumens Dimmable 3000K 4000K 5000K	SKU: 1002 640 561
16 in. Diamond Selectable LED Flush Mount Ceiling Light 1450 Lumens Dimmable 22-Watts 120V 3000K 4000K 5000K	SKU: 1002 640 535
12 in. Diamond Design 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable Energy Star	SKU: 1002 640 558

Hampton Bay

	
11 in. Glacier Decorative Border 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable	SKU: 1002 655 448
12 in. White Round 1-Light Smart Wink Hub Selectable LED Flush Mount Light Dimmable Amazon Alexa Compatible 2700K-5000K	SKU: 1001 621 495

EcoSmart

150-Watt Equivalent PAR38 Dimmable ENERGY STAR CEC LED Light Bulb Selectable CCT (2700K-3000K-5000K)	SKU: 1004 511 060
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EcoSmart	
60-Watt Equivalent A19 Dimmable LED Light Bulb, Selectable CCT	SKU: 1004 511 049
	

Home Decorators	
Ashby Park 44 in. White Color Changing Integrated LED Brushed Nickel Ceiling Fan with Light Kit	SKU: 1004 065 044

Answer to Complaint No. 65: Denied.

Complaint No. 66: The products identified above feature the correlated color temperature (“CCT”) selectable technology set forth in certain claims of the ’251 Patent. For instance, as described by the exemplary marketing and instructional materials and photograph below, the Commercial Electric Spin Light 7 in. White Selectable LED Flush Mount Ceiling Light Closet Laundry Basement 810 Lumens 3000K 4000K 5000K (SKU: 1002 312 164), is, as recited in claim 11 of the ’251 Patent, an “LED lighting system” comprising:

an LED circuit array having a plurality of LED circuits, each LED circuit of the plurality of LED circuits comprising at least one LED;

an active current limiting device connected in series to at least one of the plurality of LED circuits; and

an LED driver connected to the LED circuit array, wherein the LED driver has an input of a first voltage and a first frequency and provides an output of a second voltage, wherein the first voltage is an AC voltage;

wherein an LED of at least one of the plurality of LED circuits in the LED circuit array is coated or doped with at least one of a phosphor, nano-crystals, or a light changing or enhancing substance, at least one of the coated or doped LEDs in the LED circuit array producing a different color of light than another coated or doped LED in the LED circuit array.



Answer to Complaint No. 66: Denied.

Complaint No. 67: In addition, Home Depot imports, offers for sale, and sells certain private label LED lights, which directly infringes at least Claim 13 of the '251 Patent. The infringing products include at least:

Commercial Electric	
Spin Light 7 in. White Selectable LED Flush Mount Ceiling Light Closet Laundry Basement 810 Lumens 3000K 4000K 5000K	SKU: 1002 312 164
11 in. 120-Watt Equivalent Satin Bronze Integrated LED Flush Mount with Frosted White Glass Shade	SKU: 1000 053 226
11 in. 60-Watt Equivalent Brushed Nickel Integrated LED Flush Mount with Frosted White Glass Shade	SKU: 696 626
11 in. 120-Watt Equivalent Brushed Nickel Integrated LED Flush Mount with Frosted White Glass Shade	SKU: 1000 053 218
11 in. 60-Watt Equivalent Oil-Rubbed Bronze Integrated LED Flush Mount with Frosted White Glass Shade	SKU: 697 388
9 in. Oil Rubbed Bronze LED Flush Mount	SKU: 1000 054 718
9 in. Brushed Nickel LED Flush Mount	SKU: 1000 054 715
9 in. 120-Watt Equivalent White Integrated LED Mushroom Flush Mount with White Acrylic Shade	SKU: 1000 054 719
Spin Light 5 in. White LED Flush Mount Ceiling Light 600 Lumens 4000K Bright White Closet Basement Utility	SKU: 1002 424 296
7 in. Low Profile Round LED Flush Mount Ceiling Light Fixture Modern Smooth Cover 810 Lumens 4000K Bright White	SKU: 1001 615 888
4 in. White True Baffle Round Selectable CCT LED Integrated High Lumen Recessed Lighting Kit, 3000/4000/5000K	SKU: 1004 658 321
Spin Light 11 in. LED Flush Mount Ceiling Light High Output 1600 Lumens 22-Watt 4000K Bright White No Bulbs	SKU: 1001 258 405

Hampton Bay	
16 in. Diamond Selectable LED Flush Mount Ceiling Light 1450 Lumens Dimmable 22-Watts 120V 3000K 4000K 5000K	SKU: 1002 640 535
12 in. Diamond Design 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable Energy Star	SKU: 1002 640 558

Hampton Bay	
	
11 in. Glacier Decorative Border 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable	SKU: 1002 655 448
13 in. 180-Watt Equivalent White Integrated LED Flush Mount with Frosted Glass Shade	SKU: 1001 834 980
180-Watt Equivalent White LED Ceiling Flush Mount	SKU: 1003 239 942
13 in. 360-Watt Equivalent Brushed Nickel Integrated LED Flush Mount with Frosted Glass Shade	SKU: 1001 720 362
13 in. 360-Watt Equivalent Oil-Rubbed Bronze Integrated LED Flush Mount with Frosted Glass Shade	SKU: 1001 720 400
11 in. 120-Watt Equivalent Brushed Nickel Square Integrated LED Flush Mount with White Glass Shade	SKU: 1001 254 803
11 in. 120-Watt Equivalent Oil-Rubbed Bronze Square Integrated LED Flush Mount with White Glass Shade	SKU: 1001 254 900
Dimmable 20 in. Round White LED Flush Mount Ceiling Light Fixture 2200 Lumens 4000K Bright White	SKU: 1000 236 762
16 in. Bright White Round LED Flush Mount Ceiling Light Fixture 1640 Lumens 4000K 22-Watt Dimmable ENERGY STAR Rated	SKU: 1000 236 729
12 in. Round LED Flush Mount Light Pantry Laundry Closet Light 1000 Lumens Dimmable 4000K Bright White	SKU: 1000 236 597

EcoSmart	
6 in. White Integrated LED Recessed Trim, 2700K Soft White	SKU: 1002 936 719

EcoSmart



6 in. White Integrated LED Recessed Trim, 5000K Daylight	SKU: 1002 936 732
4 in. White Integrated LED Recessed Trim, Daylight	SKU: 1002 936 683
4 in. White Integrated LED Recessed Trim, Soft White	SKU: 1002 936 677

Home Decorators

Ashby Park 44 in. White Color Changing Integrated LED Brushed Nickel Ceiling Fan with Light Kit	SKU: 1004 065 044
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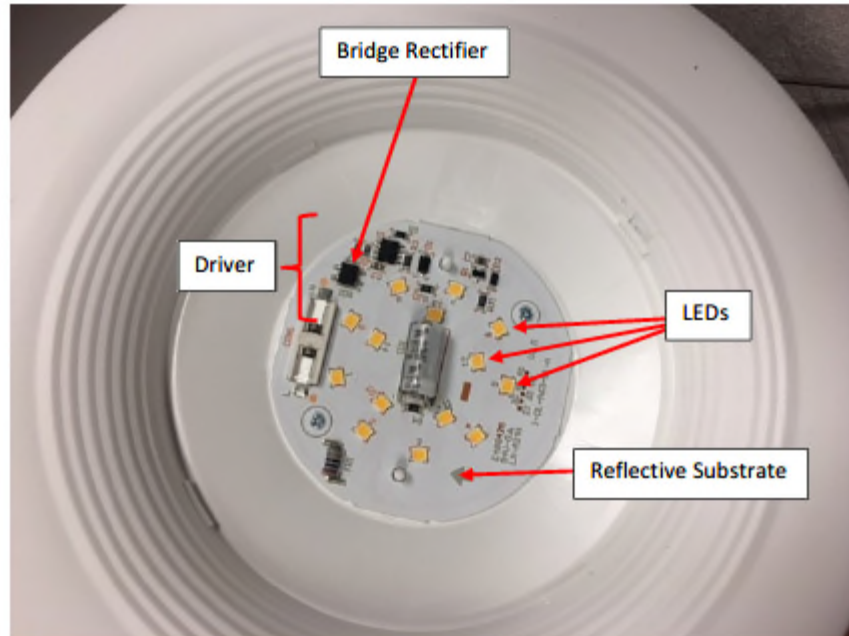
Home Decorators	
<p>Mauvo Canyon Collection 11 in. Black Outdoor Seeded Glass Dusk to Dawn Wall Lantern Sconce</p> 	SKU: 1002 067 336
<p>Mauvo Canyon Collection 15.5 in. Black Outdoor Seeded Glass Dusk to Dawn Wall Lantern Sconce</p>	SKU: 1002 067 341

Answer to Complaint No. 67: Denied.

Complaint No. 68: The products identified above feature the DoB technology set forth in certain claims of the '251 Patent. For instance, as shown by the exemplary photo below, the EcoSmart 6 in. White Integrated LED Recessed Trim, 2700K Soft White (SKU: 1002 936 719), is, as recited in claim 13 of the '251 Patent, a “lighting system” comprising:

a driver having an input and an output, the input receiving an input voltage from a mains power source and the output providing an output voltage, wherein the driver includes a bridge rectifier; and

at least one LED circuit mounted on a reflective substrate, wherein the at least one LED circuit is connected to the output of the driver and has one or more LEDs connected in series or parallel sufficient to approximately match the input voltage or the output voltage of the driver.



Answer to Complaint No. 68: Denied.

Complaint No. 69: Home Depot also actively induces infringement of at least Claims 11 and 13 of the '251 Patent by selling each of the above-listed infringing products with accompanying instructions for use.

Answer to Complaint No. 69: Denied.

Complaint No. 70: Home Depot aids, instructs, or otherwise acts with the intent to cause an end user to use the above-listed infringing products in an infringing manner.

Answer to Complaint No. 70: Denied.

Complaint No. 71: Upon information and belief, Home Depot further actively induces its third-party vendors to infringe by making the above-listed infringing products according to Home Depot's specifications.

Answer to Complaint No. 71: Denied.

Complaint No. 72: The above-listed infringing products have no substantial, non-infringing uses.

Answer to Complaint No. 72: Denied.

Complaint No. 73: Home Depot knew of the '251 Patent and knew that the actions of an end user would infringe at least Claims 11 and 13 of the '251 Patent.

Answer to Complaint No. 73: Denied.

Complaint No. 74: Lynk has been damaged as a result of the infringing conduct by Home Depot alleged above. Thus, Home Depot is at least liable to Lynk in an amount that compensates it for such infringement, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

Answer to Complaint No. 74: Denied.

Complaint No. 75: Home Depot's infringement of the '251 Patent has caused, and will continue to cause, Lynk to suffer substantial and irreparable harm.

Answer to Complaint No. 75: Denied.

Complaint No. 76: Home Depot has been aware that it infringes the '251 Patent since at least March 5, 2020. Upon information and belief, Home Depot was aware of its infringement of the '251 Patent at least as early as November 26, 2019, when the '251 Patent issued, through Home Depot's own freedom to operate analysis, initiated, in part, due to the communications Home Depot had with Mr. Miskin in 2018. If not, Home Depot has elected to be willfully blind to its infringement of at least Claims 11 and 13 of the '251 Patent.

Answer to Complaint No. 76: Denied.

Complaint No. 77: Home Depot's infringement of the '251 Patent has been willful.

Answer to Complaint No. 77: Denied.

Complaint No. 78: Lynk has complied with the marking requirements of 35 U.S.C. § 287 with respect to the '251 Patent.

Answer to Complaint No. 78: Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore deny them.

**SECOND CAUSE OF ACTION
(Infringement of the '783 Patent)**

Complaint No. 79: Lynk incorporates by reference and realleges each and every allegation of Paragraphs 1 through 78 as if set forth herein.

Answer to Complaint No. 79: Defendants incorporate by reference their answers to paragraphs 1 through 78 as if fully set forth herein.

Complaint No. 80: Home Depot imports, offers for sale, and sells certain private label LED lights, which directly infringes at least Claims 1, 8, and 17 of the '783 Patent. The infringing products include at least:

Commercial Electric	
13 in. Brushed Nickel Color Changing LED Ceiling Flush Mount	SKU: 1003 334 178
13 in. Oil Rubbed Bronze Color Changing LED Ceiling Flush Mount	SKU: 1003 334 179
4 in. Matte White Integrated LED Recessed Trim 5-ways	SKU: 1002 936 200
8 in. Selectable Integrated LED Recessed Retrofit Trimless Trim	SKU: 1004 330 905
6 in. Selectable CCT Integrated LED Recessed Light Trim with Night Light Feature 670 Lumens 11-Watt Dimmable	SKU: 1003 456 565
5/6 in. Matte White Integrated LED Recessed Trim 5-Ways	SKU: 1002 936 204

Commercial Electric	
<p>6 in. Selectable Integrated LED Recessed Trim Downlight 30 Configurations in One Fixture High Ceiling Output Dimmable</p>  <p>The image shows a box for the Commercial Electric 6 in. LED Customizable Recessed Trim. The box is orange and white, featuring a picture of the white trim. Text on the box includes 'Commercial Electric', '1002 948 990', 'HIGH CEILING OUTPUT UP TO 1000 LUMENS', '6 in LED Customizable Recessed Trim', '30 CONFIGURATIONS IN 1', '5 White Color Options', '3 Brightness Levels', and 'Black & White Baffles Included'. It also mentions 'Adjust Color of Light with Integrated Switch' and 'NO HOUSING REQUIRED'.</p>	SKU: 1002 948 990
<p>Easy-Up 6 in. Deep Baffle Color Selectable Canless LED Recessed Kit</p>  <p>The image shows a box for the Commercial Electric 6 in. LED Color Changing Recessed Kit. The box is orange and white, featuring a picture of the white trim. Text on the box includes 'Commercial Electric', '1003 240 066', '6 in LED Color Changing Recessed Kit', 'NO HOUSING REQUIRED', '1 Lamp (6 in. Long)', 'Deep Installation*', '75 Watt (6 in. Installation)', and 'Metal Construction'. It also mentions 'Adjust Color of Light with Integrated Switch' and 'NO HOUSING REQUIRED'.</p>	SKU: 1003 240 066
<p>Spin Light 7 in. White Selectable LED Flush Mount Ceiling Light Closet Laundry Basement 810 Lumens 3000K 4000K 5000K</p>	SKU: 1002 312 164
<p>Augusta 50 in. x 15 in. Low Profile LED Ceiling Light in Black, Washed Gray Frame 4000 Lumens 3000K 4000K 5000K Dimmable</p>	SKU: 1005 179 103

Commercial Electric	
1 ft. x 4 ft. 50W Dimmable White Integrated LED Edge-Lit Deco Flat Panel Flush Mount Ceiling Light with CCT	SKU: 1002 632 077
11 in. 12.5W Dimmable White Integrated LED Edge-Lit Round Flat Panel Flush Mount Ceiling Light with Color Changing CCT	SKU: 1002 632 076
15 in. 22.5-Watt Dimmable White Integrated LED Edge-Lit Round Flat Panel Flush Mount Ceiling Light w/ Color Changing CCT	SKU: 1002 632 072
Moroccan 48 in. x 10 in. Flush Mount Integrated LED Ceiling Light in Dark Bronze 4000 Lumens 3000K 4000K 5000K Dimmable	SKU: 1005 179 080
Ultra Slim Square 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 268
Slim Baffle 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 270
Slim Directional 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 273
Ultra-Spot 4 in. Selectable New Construction and Remodel Color Canless Recessed Integrated LED Kit	SKU: 1004 658 319
6 in. White True Baffle Round Selectable CCT, LED Integrated High Lumen Recessed Lighting Kit, 2700/3000/3500/4000/5000K	SKU: 1004 658 318
4 in. White True Baffle Round Selectable CCT LED Integrated High Lumen Recessed Lighting Kit, 3000/4000/5000K	SKU: 1004 658 321
Slim Directional 6 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 282
Slim Baffle 6 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 279
Ultra Slim 3 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 266
Slim Baffle 3 in. Color Selectable New Construction and Remodel Canless Integrated LED Recessed Kit	SKU: 1004 655 284
Ultra Slim 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 277
Ultra Slim 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit Oil Rubbed Bronze	SKU: 1004 655 281

Hampton Bay	
9.8-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Spot Light	SKU: 1003 453 329
9.8-Watt Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 535 735
17-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 453 345
9.8-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 453 321
4.5-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 452 837
Mission Industrial 48 in. x 15 in. Brushed Nickel LED Flush Mount Light High Output 5500 Lumens 3000K 4000K 5000K	SKU: 1002 640 555
Mission Industrial 48 in. x 10 in. Rectangle Brushed Nickel LED Flush Mount Ceiling Light 3000 Lumens 3000K 4000K 5000K	SKU: 1002 640 560
Birds Nest Design 20 in. Round Black Selectable LED Flush Mount Ceiling Light 2000 Lumens Dimmable 3000K 4000K 5000K	SKU: 1002 640 556
Birds Nest Design 15 in. Round Black Selectable LED Flush Mount Ceiling Light 1500 Lumens Dimmable 3000K 4000K 5000K	SKU: 1002 640 561
16 in. Diamond Selectable LED Flush Mount Ceiling Light 1450 Lumens Dimmable 22-Watts 120V 3000K 4000K 5000K	SKU: 1002 640 535
12 in. Diamond Design 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable Energy Star	SKU: 1002 640 558
	

Hampton Bay	
11 in. Glacier Decorative Border 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable	SKU: 1002 655 448
12 in. White Round 1-Light Smart Wink Hub Selectable LED Flush Mount Light Dimmable Amazon Alexa Compatible 2700K-5000K	SKU: 1001 621 495

EcoSmart	
150-Watt Equivalent PAR38 Dimmable ENERGY STAR CEC LED Light Bulb Selectable CCT (2700K-3000K-5000K)	SKU: 1004 511 060
60-Watt Equivalent A19 Dimmable LED Light Bulb, Selectable CCT	SKU: 1004 511 049



Home Decorators	
Ashby Park 44 in. White Color Changing Integrated LED Brushed Nickel Ceiling Fan with Light Kit	SKU: 1004 065 044

Answer to Complaint No. 80: Denied.

Complaint No. 81: The products identified above feature the CCT selectable technology set forth in certain claims of the '783 Patent. For instance, as described by the exemplary marketing and instructional materials and photograph below, the Commercial Electric Spin Light 7 in. White Selectable LED Flush Mount Ceiling Light Closet Laundry Basement 810 Lumens

3000K 4000K 5000K (SKU: 1002 312 164), is, as recited in claim 8 of the '783 Patent, an “LED lighting device” comprising:

at least one LED circuit having at least two LEDs, an LED of the at least two LEDs being configured to emit light of a different color temperature than at least one other LED of the at least two LEDs; and

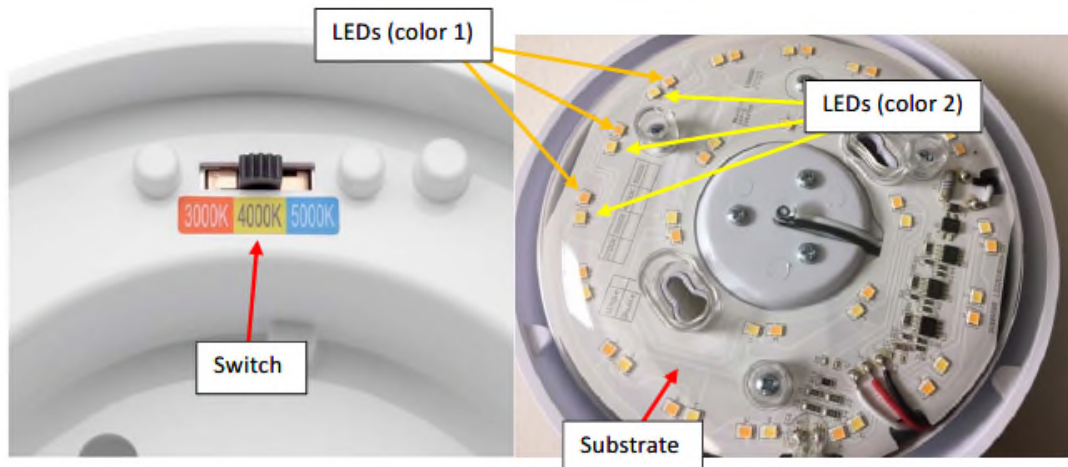
a switch configured to enable user selection of the different color temperatures of light to be emitted by the at least one LED circuit;

wherein the color temperature is produced by at least one of the at least two LEDs,

wherein the at least one LED circuit and the switch are integrated into the LED lighting device,

wherein the LED lighting device is driven with an AC voltage source, and wherein the at least one LED circuit and the at least two LEDs are integrated on a single substrate.





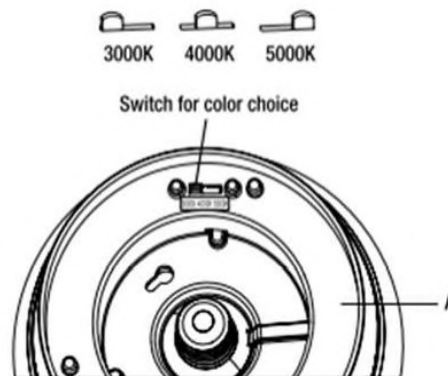
Adjusting the Color Temperature of the Light

This LED light fixture allows you to customize the color temperature of the light using three settings from soft white to daylight.

- ☐ Choose your favorite correlated color temperature (CCT) from three options: 3000K, 4000K, or 5000K.
- ☐ Move the toggle switch on the inside of the fixture body to make your selection before attaching the fixture body to the keyless lampholder or electrical outlet box.



NOTICE: The factory setting for the correlated color temperature (CCT) is 3000K, which is the warmest white light.



Answer to Complaint No. 81: Denied.

Complaint No. 82: Home Depot also actively induces infringement of at least Claims 1, 8, and 17 of the '783 Patent by selling each of the above-listed infringing products with accompanying instructions for use.

Answer to Complaint No. 82: Denied.

Complaint No. 83: Home Depot aids, instructs, or otherwise acts with the intent to cause an end user to use the above-listed infringing products in an infringing manner.

Answer to Complaint No. 83: Denied.

Complaint No. 84: Upon information and belief, Home Depot further actively induces its third-party vendors to infringe by making the above-listed infringing products according to Home Depot's specifications.

Answer to Complaint No. 84: Denied.

Complaint No. 85: The above-listed infringing products have no substantial non-infringing uses.

Answer to Complaint No. 85: Denied.

Complaint No. 86: Home Depot knew of the '783 Patent and knew that the actions of an end user would infringe at least Claims 1, 8, and 17 of the '783 Patent.

Answer to Complaint No. 86: Denied.

Complaint No. 87: Lynk has been damaged as a result of the infringing conduct by Home Depot alleged above. Thus, Home Depot is liable to Lynk in an amount that compensates it for such infringement, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

Answer to Complaint No. 87: Denied.

Complaint No. 88: Home Depot's infringement of the '783 Patent has caused, and will continue to cause, Lynk to suffer substantial and irreparable harm.

Answer to Complaint No. 88: Denied.

Complaint No. 89: Home Depot has been aware that it infringes the '783 Patent since at least July 24, 2020. Upon information and belief, Home Depot was aware of its infringement of the '783 Patent at least as early as August 25, 2020, when the '783 Patent issued, through Home Depot's own freedom to operate analysis, initiated, in part, due to the communications Home

Depot had with Mr. Miskin in 2018. If not, Home Depot has elected to be willfully blind to its infringement of at least Claims 1, 8, and 17 of the '783 Patent.

Answer to Complaint No. 89: Denied.

Complaint No. 90: Home Depot's infringement of the '783 Patent has been willful.

Answer to Complaint No. 90: Denied.

Complaint No. 91: Lynk has complied with the marking requirements of 35 U.S.C. § 287 with respect to the '783 Patent.

Answer to Complaint No. 91: Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore deny them.


THIRD CAUSE OF ACTION (Infringement of the '842 Patent)

Complaint No. 92: Lynk incorporates by reference and realleges each and every allegation of Paragraphs 1 through 91 as if set forth herein.

Answer to Complaint No. 92: Defendants incorporate by reference their answers to paragraphs 1 through 91 as if fully set forth herein.

Complaint No. 93: Home Depot imports, offers for sale, and sells certain private label LED lights, which directly infringes at least Claims 33, 38, and 43 of the '842 Patent. The infringing products include at least:


Commercial Electric	
13 in. Brushed Nickel Color Changing LED Ceiling Flush Mount	SKU: 1003 334 178
13 in. Oil Rubbed Bronze Color Changing LED Ceiling Flush Mount	SKU: 1003 334 179
4 in. Matte White Integrated LED Recessed Trim 5-ways	SKU: 1002 936 200
8 in. Selectable Integrated LED Recessed Retrofit Trimless Trim	SKU: 1004 330 905

Commercial Electric	
6 in. Selectable CCT Integrated LED Recessed Light Trim with Night Light Feature 670 Lumens 11-Watt Dimmable	SKU: 1003 456 565
5/6 in. Matte White Integrated LED Recessed Trim 5-Ways	SKU: 1002 936 204
6 in. Selectable Integrated LED Recessed Trim Downlight 30 Configurations in One Fixture High Ceiling Output Dimmable	SKU: 1002 948 990
	
Easy-Up 6 in. Deep Baffle Color Selectable Canless LED Recessed Kit	SKU: 1003 240 066

Commercial Electric	
	
Spin Light 7 in. White Selectable LED Flush Mount Ceiling Light Closet Laundry Basement 810 Lumens 3000K 4000K 5000K	SKU: 1002 312 164
Augusta 50 in. x 15 in. Low Profile LED Ceiling Light in Black, Washed Gray Frame 4000 Lumens 3000K 4000K 5000K Dimmable	SKU: 1005 179 103
1 ft. x 4 ft. 50W Dimmable White Integrated LED Edge-Lit Deco Flat Panel Flush Mount Ceiling Light with CCT	SKU: 1002 632 077
11 in. 12.5W Dimmable White Integrated LED Edge-Lit Round Flat Panel Flush Mount Ceiling Light with Color Changing CCT	SKU: 1002 632 076
15 in. 22.5-Watt Dimmable White Integrated LED Edge-Lit Round Flat Panel Flush Mount Ceiling Light w/ Color Changing CCT	SKU: 1002 632 072
Moroccan 48 in. x 10 in. Flush Mount Integrated LED Ceiling Light in Dark Bronze 4000 Lumens 3000K 4000K 5000K Dimmable	SKU: 1005 179 080
Ultra Slim Square 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 268
Slim Baffle 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 270
Slim Directional 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 273
Ultra-Spot 4 in. Selectable New Construction and Remodel Color Canless Recessed Integrated LED Kit	SKU: 1004 658 319

Commercial Electric	
6 in. White True Baffle Round Selectable CCT, LED Integrated High Lumen Recessed Lighting Kit, 2700/3000/3500/4000/5000K	SKU: 1004 658 318
4 in. White True Baffle Round Selectable CCT LED Integrated High Lumen Recessed Lighting Kit, 3000/4000/5000K	SKU: 1004 658 321
Slim Directional 6 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 282
Slim Baffle 6 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 279
Ultra Slim 3 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 266
Slim Baffle 3 in. Color Selectable New Construction and Remodel Canless Integrated LED Recessed Kit	SKU: 1004 655 284
Ultra Slim 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 277
Ultra Slim 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit Oil Rubbed Bronze	SKU: 1004 655 281

Hampton Bay	
9.8-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Spot Light	SKU: 1003 453 329
9.8-Watt Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 535 735
17-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 453 345
9.8-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 453 321
4.5-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 452 837
Mission Industrial 48 in. x 15 in. Brushed Nickel LED Flush Mount Light High Output 5500 Lumens 3000K 4000K 5000K	SKU: 1002 640 555
Mission Industrial 48 in. x 10 in. Rectangle Brushed Nickel LED Flush Mount Ceiling Light 3000 Lumens 3000K 4000K 5000K	SKU: 1002 640 560
Birds Nest Design 20 in. Round Black Selectable LED Flush Mount Ceiling Light 2000 Lumens Dimmable 3000K 4000K 5000K	SKU: 1002 640 556

Hampton Bay	
Birds Nest Design 15 in. Round Black Selectable LED Flush Mount Ceiling Light 1500 Lumens Dimmable 3000K 4000K 5000K	SKU: 1002 640 561
16 in. Diamond Selectable LED Flush Mount Ceiling Light 1450 Lumens Dimmable 22-Watts 120V 3000K 4000K 5000K	SKU: 1002 640 535
12 in. Diamond Design 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable Energy Star	SKU: 1002 640 558
	
11 in. Glacier Decorative Border 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable	SKU: 1002 655 448
12 in. White Round 1-Light Smart Wink Hub Selectable LED Flush Mount Light Dimmable Amazon Alexa Compatible 2700K-5000K	SKU: 1001 621 495

EcoSmart	
150-Watt Equivalent PAR38 Dimmable ENERGY STAR CEC LED Light Bulb Selectable CCT (2700K-3000K-5000K)	SKU: 1004 511 060
60-Watt Equivalent A19 Dimmable LED Light Bulb, Selectable CCT	SKU: 1004 511 049

EcoSmart	
	

Home Decorators	
Ashby Park 44 in. White Color Changing Integrated LED Brushed Nickel Ceiling Fan with Light Kit	SKU: 1004 065 044

Answer to Complaint No. 93: Denied.

Complaint No. 94: The products identified above feature the CCT selectable technology set forth in certain claims of the '842 Patent. For instance, as described by the exemplary marketing and instructional materials and photograph below, the Commercial Electric Spin Light 7 in. White Selectable LED Flush Mount Ceiling Light Closet Laundry Basement 810 Lumens 3000K 4000K 5000K (SKU: 1002 312 164), is, as recited in claim 33 of the '842 Patent, an "LED lighting system" comprising:

an LED circuit array having a plurality of different LED circuits,
each LED circuit having at least one LED;

an LED circuit driver, the LED circuit driver having an input of a first voltage and a first frequency, wherein the first voltage is an AC voltage;

the LED circuit driver connected to at least one LED circuit of the plurality of different LED circuits and providing an output of a second voltage and a second frequency to the at least one LED circuit, wherein the second voltage is either a rectified DC voltage or a rectified AC voltage and wherein the second frequency of the output is a relatively higher frequency than the first frequency of the input;

at least one LED in the LED circuit array being a different color than other LEDs in the LED circuit array; and

the plurality of different LED circuits capable of being connected to the output of the LED circuit driver in parallel one LED circuit at a time.



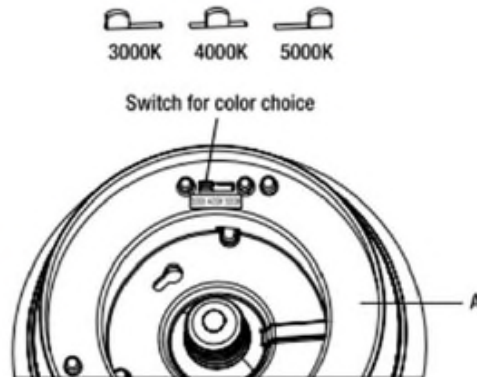
Adjusting the Color Temperature of the Light

This LED light fixture allows you to customize the color temperature of the light using three settings from soft white to daylight.

- Choose your favorite correlated color temperature (CCT) from three options: 3000K, 4000K, or 5000K.
- Move the toggle switch on the inside of the fixture body to make your selection before attaching the fixture body to the keyless lampholder or electrical outlet box.



NOTICE: The factory setting for the correlated color temperature (CCT) is 3000K, which is the warmest white light.



Answer to Complaint No. 94: Denied.

Complaint No. 95: Home Depot also actively induces infringement of at least Claims 33, 38, and 43 of the '842 Patent by selling each of the above-listed infringing products with accompanying instructions for use.

Answer to Complaint No. 95: Denied.

Complaint No. 96: Home Depot aids, instructs, or otherwise acts with the intent to cause an end user to use the above-listed infringing products in an infringing manner.

Answer to Complaint No. 96: Denied.

Complaint No. 97: Upon information and belief, Home Depot further actively induces its third-party vendors to infringe by making the above-listed infringing products according to Home Depot's specifications.

Answer to Complaint No. 97: Denied.

Complaint No. 98: The above-listed infringing products have no substantial non-infringing uses.

Answer to Complaint No. 98: Denied.

Complaint No. 99: Home Depot knew of the '842 Patent and knew that the actions of an end user would infringe at least Claims 33, 38, and 43 of the '842 Patent.

Answer to Complaint No. 99: Denied.

Complaint No. 100: Lynk has been damaged as a result of the infringing conduct by Home Depot alleged above. Thus, Home Depot is liable to Lynk in an amount that compensates it for such infringement, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

Answer to Complaint No. 100: Denied.

Complaint No. 101: Home Depot's infringement of the '842 Patent has caused, and will continue to cause, Lynk to suffer substantial and irreparable harm.

Answer to Complaint No. 101: Denied.

Complaint No. 102: Home Depot has been aware that it infringes the '842 Patent since at least March 5, 2020. Upon information and belief, Home Depot was aware of its infringement of the '842 Patent at least as early as October 2, 2018, when the '842 Patent issued, through Home Depot's own freedom to operate analysis, initiated, in part, due to the communications Home Depot had with Mr. Miskin in 2018. If not, Home Depot has elected to be willfully blind to its infringement of at least Claims 33, 38, and 43 of the '842 Patent.

Answer to Complaint No. 102: Denied.

Complaint No. 103: Home Depot's infringement of the '842 Patent has been willful.

Answer to Complaint No. 103: Denied.

Complaint No. 104: Lynk has complied with the marking requirements of 35 U.S.C. § 287 with respect to the '842 Patent.

Answer to Complaint No. 104: Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore deny them.

**FOURTH CAUSE OF ACTION
(Infringement of the '341 Patent)**

Complaint No. 105: Lynk incorporates by reference and realleges each and every allegation of Paragraphs 1 through 104 as if set forth herein.

Answer to Complaint No. 105: Defendants incorporate by reference their answers to paragraphs 1 through 104 as if fully set forth herein.

Complaint No. 106: Home Depot imports, offers for sale, and sells certain private label LED lights, which directly infringes at least Claim 1 of the '341 Patent. The infringing products include at least:

Commercial Electric	
13 in. Brushed Nickel Color Changing LED Ceiling Flush Mount	SKU: 1003 334 178
13 in. Oil Rubbed Bronze Color Changing LED Ceiling Flush Mount	SKU: 1003 334 179
4 in. Matte White Integrated LED Recessed Trim 5-ways	SKU: 1002 936 200
8 in. Selectable Integrated LED Recessed Retrofit Trimless Trim	SKU: 1004 330 905
6 in. Selectable CCT Integrated LED Recessed Light Trim with Night Light Feature 670 Lumens 11-Watt Dimmable	SKU: 1003 456 565
5/6 in. Matte White Integrated LED Recessed Trim 5-Ways	SKU: 1002 936 204

6 in. Selectable Integrated LED Recessed Trim Downlight 30
Configurations in One Fixture High Ceiling Output Dimmable

SKU: 1002 948 900



Easy-Up 6 in. Deep Baffle Color Selectable Canless LED Recessed Kit

SKU: 1003 240 066


Commercial Electric	
	
	Spin Light 7 in. White Selectable LED Flush Mount Ceiling Light Closet Laundry Basement 810 Lumens 3000K 4000K 5000K
	Augusta 50 in. x 15 in. Low Profile LED Ceiling Light in Black, Washed Gray Frame 4000 Lumens 3000K 4000K 5000K Dimmable
	1 ft. x 4 ft. 50W Dimmable White Integrated LED Edge-Lit Deco Flat Panel Flush Mount Ceiling Light with CCT
	11 in. 12.5W Dimmable White Integrated LED Edge-Lit Round Flat Panel Flush Mount Ceiling Light with Color Changing CCT
	15 in. 22.5-Watt Dimmable White Integrated LED Edge-Lit Round Flat Panel Flush Mount Ceiling Light w/ Color Changing CCT
	Moroccan 48 in. x 10 in. Flush Mount Integrated LED Ceiling Light in Dark Bronze 4000 Lumens 3000K 4000K 5000K Dimmable
	Ultra Slim Square 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit
	Slim Baffle 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit

Slim Directional 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 273
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Commercial Electric	
Ultra-Spot 4 in. Selectable New Construction and Remodel Color Canless Recessed Integrated LED Kit	SKU: 1004 658 319
6 in. White True Baffle Round Selectable CCT, LED Integrated High Lumen Recessed Lighting Kit, 2700/3000/3500/4000/5000K	SKU: 1004 658 318
4 in. White True Baffle Round Selectable CCT LED Integrated High Lumen Recessed Lighting Kit, 3000/4000/5000K	SKU: 1004 658 321
Slim Directional 6 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 282
Slim Baffle 6 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 279
Ultra Slim 3 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 266
Slim Baffle 3 in. Color Selectable New Construction and Remodel Canless Integrated LED Recessed Kit	SKU: 1004 655 284
Ultra Slim 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 277
Ultra Slim 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit Oil Rubbed Bronze	SKU: 1004 655 281

Hampton Bay	
9.8-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Spot Light	SKU: 1003 453 329
9.8-Watt Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 535 735
17-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 453 345

9.8-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 453 321
4.5-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 452 837
Mission Industrial 48 in. x 15 in. Brushed Nickel LED Flush Mount Light High Output 5500 Lumens 3000K 4000K 5000K	SKU 1002 640 555

Hampton Bay	
Mission Industrial 48 in. x 10 in. Rectangle Brushed Nickel LED Flush Mount Ceiling Light 3000 Lumens 3000K 4000K 5000K	SKU: 1002 640 560
Birds Nest Design 20 in. Round Black Selectable LED Flush Mount Ceiling Light 2000 Lumens Dimmable 3000K 4000K 5000K	SKU: 1002 640 556
Birds Nest Design 15 in. Round Black Selectable LED Flush Mount Ceiling Light 1500 Lumens Dimmable 3000K 4000K 5000K	SKU: 1002 640 561
16 in. Diamond Selectable LED Flush Mount Ceiling Light 1450 Lumens Dimmable 22-Watts 120V 3000K 4000K 5000K	SKU: 1002 640 535
12 in. Diamond Design 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable Energy Star	SKU 1002 640 558
	
11 in. Glacier Decorative Border 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable	SKU: 1002 655 448

12 in. White Round 1-Light Smart Wink Hub Selectable LED Flush Mount Light Dimmable Amazon Alexa Compatible 2700K-5000K	SKU: 1001 621 495
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EcoSmart	
150-Watt Equivalent PAR38 Dimmable ENERGY STAR CEC LED Light Bulb Selectable CCT (2700K-3000K-5000K)	SKU: 1004 511 060
60-Watt Equivalent A19 Dimmable LED Light Bulb, Selectable CCT 	SKU 1004 511 049

Home Decorators	
Ashby Park 44 in. White Color Changing Integrated LED Brushed Nickel Ceiling Fan with Light Kit	SKU: 1004 065 044

Answer to Complaint No. 106: Denied.

Complaint No. 107: The products identified above feature the CCT selectable technology set forth in certain claims of the '341 Patent. For instance, as described by the

exemplary marketing and instructional materials and photograph below, the Commercial Electric Spin Light 7 in. White Selectable LED Flush Mount Ceiling Light Closet Laundry Basement 810 Lumens 3000K 4000K 5000K (SKU: 1002 312 164), is, as recited in claim 1 of the '341 Patent, an “LED lighting device” comprising:

a first operating LED circuit and at least one additional LED circuit,

at least one of the first operating LED circuit or the at least one additional LED circuit including at least two LEDs connected in either series or parallel, and

the at least one additional LED circuit being configured to emit a different color light compared to the first operating LED circuit; and

a switch capable of at least one of:

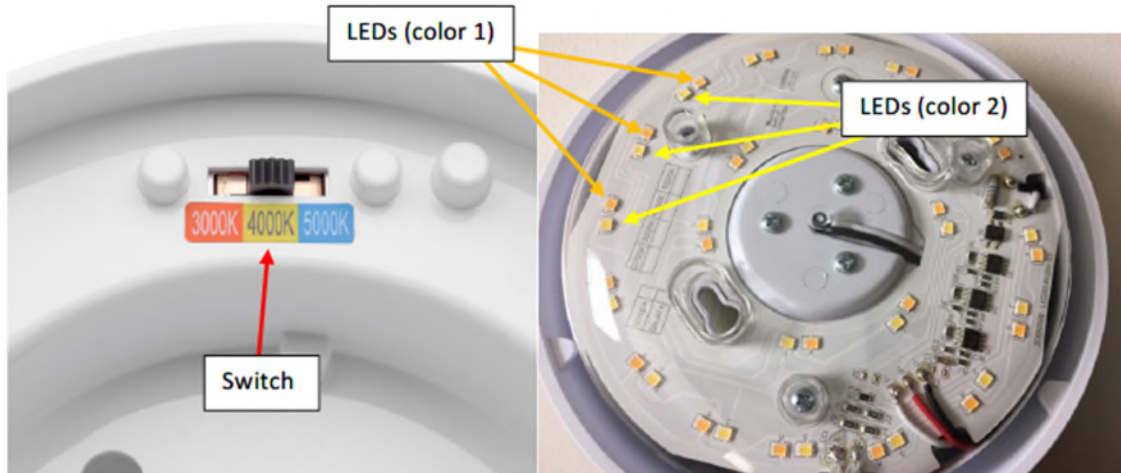
(a) switching a voltage level input to at least one of the first operating LED circuit or the at least one additional LED circuit, or

(b) switching the at least one additional LED circuit on or off,

wherein (a) or (b) is selectable by a user switching the switch, and

wherein the LED lighting device is configured to connect to an AC voltage power source.





Adjusting the Color Temperature of the Light

This LED light fixture allows you to customize the color temperature of the light using three settings from soft white to daylight.

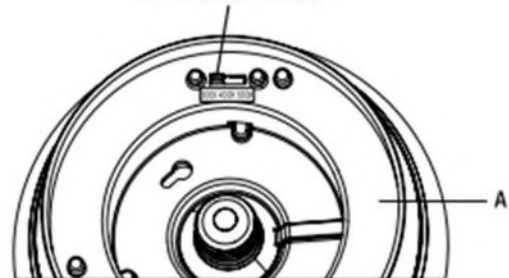
- ☐ Choose your favorite correlated color temperature (CCT) from three options: 3000K, 4000K, or 5000K.
- ☐ Move the toggle switch on the inside of the fixture body to make your selection before attaching the fixture body to the keyless lampholder or electrical outlet box.



NOTICE: The factory setting for the correlated color temperature (CCT) is 3000K, which is the warmest white light.



Switch for color choice



Answer to Complaint No. 107: Denied.

Complaint No. 108: Home Depot also actively induces infringement of at least Claim 1 of the '341 Patent by selling each of the above-listed infringing products with accompanying instructions for use.

Answer to Complaint No. 108: Denied.

Complaint No. 109: Home Depot aids, instructs, or otherwise acts with the intent to cause an end user to use the above-listed infringing products in an infringing manner

Answer to Complaint No. 109: Denied.

Complaint No. 110: Upon information and belief, Home Depot further actively induces its third-party vendors to infringe by making the above-listed infringing products according to Home Depot's specifications.

Answer to Complaint No. 110: Denied.

Complaint No. 111: The above-listed infringing products have no substantial non-infringing uses.

Answer to Complaint No. 111: Denied.

Complaint No. 112: Home Depot knew of the '341 Patent and knew that the actions of an end user would infringe at least Claim 1 of the '341 Patent.

Answer to Complaint No. 112: Denied.

Complaint No. 113: Lynk has been damaged as a result of the infringing conduct by Home Depot alleged above. Thus, Home Depot is liable to Lynk in an amount that compensates it for such infringement, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

Answer to Complaint No. 113: Denied.

Complaint No. 114: Home Depot's infringement of the '341 Patent has caused, and will continue to cause, Lynk to suffer substantial and irreparable harm.

Answer to Complaint No. 114: Denied.

Complaint No. 115: Home Depot has been aware that it infringes the '341 Patent since at least January 12, 2021. If not, Home Depot has elected to be willfully blind to its infringement of at least Claim 1 of the '341 Patent.

Answer to Complaint No. 115: Denied.

Complaint No. 116: Home Depot's infringement of the '341 Patent has been willful.

Answer to Complaint No. 116: Denied.

Complaint No. 117: Lynk has complied with the marking requirements of 35 U.S.C. § 287 with respect to the '341 Patent.

Answer to Complaint No. 117: Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore deny them.

**FIFTH CAUSE OF ACTION
(Infringement of the '001 Patent)**

Complaint No. 118: Lynk incorporates by reference and realleges each and every allegation of Paragraphs 1 through 117 as if set forth herein.

Answer to Complaint No. 118: Defendants incorporate by reference their answers to paragraphs 1 through 117 as if fully set forth herein.

Complaint No. 119: Home Depot imports, offers for sale, and sells certain private label LED lights, which directly infringes at least Claims 1, 6, 11, and 16 of the '001 Patent. The infringing products include at least:

Commercial Electric	
13 in. Brushed Nickel Color Changing LED Ceiling Flush Mount	SKU: 1003 334 178
13 in. Oil Rubbed Bronze Color Changing LED Ceiling Flush Mount	SKU: 1003 334 179
4 in. Matte White Integrated LED Recessed Trim 5-ways	SKU: 1002 936 200
8 in. Selectable Integrated LED Recessed Retrofit Trimless Trim	SKU: 1004 330 905
6 in. Selectable CCT Integrated LED Recessed Light Trim with Night Light Feature 670 Lumens 11-Watt Dimmable	SKU: 1003 456 565
5/6 in. Matte White Integrated LED Recessed Trim 5-Ways	SKU: 1002 936 204
6 in. Selectable Integrated LED Recessed Trim Downlight 30 Configurations in One Fixture High Ceiling Output Dimmable	SKU: 1002 948 990

Commercial Electric



Easy-Up 6 in. Deep Baffle Color Selectable Canless LED Recessed Kit

SKU: 1003 240 066

Spin Light 7 in. White Selectable LED Flush Mount Ceiling Light
Closet Laundry Basement 810 Lumens 3000K 4000K 5000K

SKU: 1002 312 164

Commercial Electric	
Augusta 50 in. x 15 in. Low Profile LED Ceiling Light in Black, Washed Gray Frame 4000 Lumens 3000K 4000K 5000K Dimmable	SKU: 1005 179 103
1 ft. x 4 ft. 50W Dimmable White Integrated LED Edge-Lit Deco Flat Panel Flush Mount Ceiling Light with CCT	SKU: 1002 632 077
11 in. 12.5W Dimmable White Integrated LED Edge-Lit Round Flat Panel Flush Mount Ceiling Light with Color Changing CCT	SKU: 1002 632 076
15 in. 22.5-Watt Dimmable White Integrated LED Edge-Lit Round Flat Panel Flush Mount Ceiling Light w/ Color Changing CCT	SKU: 1002 632 072
Moroccan 48 in. x 10 in. Flush Mount Integrated LED Ceiling Light in Dark Bronze 4000 Lumens 3000K 4000K 5000K Dimmable	SKU: 1005 179 080
Ultra Slim Square 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 268
Slim Baffle 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 270
Slim Directional 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 273
Ultra-Spot 4 in. Selectable New Construction and Remodel Color Canless Recessed Integrated LED Kit	SKU: 1004 658 319
6 in. White True Baffle Round Selectable CCT, LED Integrated High Lumen Recessed Lighting Kit, 2700/3000/3500/4000/5000K	SKU: 1004 658 318
4 in. White True Baffle Round Selectable CCT LED Integrated High Lumen Recessed Lighting Kit, 3000/4000/5000K	SKU: 1004 658 321
Slim Directional 6 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 282
Slim Baffle 6 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 279
Ultra Slim 3 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 266
Slim Baffle 3 in. Color Selectable New Construction and Remodel Canless Integrated LED Recessed Kit	SKU: 1004 655 284
Ultra Slim 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 277
Ultra Slim 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit Oil Rubbed Bronze	SKU: 1004 655 281

Hampton Bay	
9.8-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Spot Light	SKU: 1003 453 329
9.8-Watt Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 535 735
17-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 453 345
9.8-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 453 321
4.5-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 452 837
Mission Industrial 48 in. x 15 in. Brushed Nickel LED Flush Mount Light High Output 5500 Lumens 3000K 4000K 5000K	SKU: 1002 640 555
Mission Industrial 48 in. x 10 in. Rectangle Brushed Nickel LED Flush Mount Ceiling Light 3000 Lumens 3000K 4000K 5000K	SKU: 1002 640 560
Birds Nest Design 20 in. Round Black Selectable LED Flush Mount Ceiling Light 2000 Lumens Dimmable 3000K 4000K 5000K	SKU: 1002 640 556
Birds Nest Design 15 in. Round Black Selectable LED Flush Mount Ceiling Light 1500 Lumens Dimmable 3000K 4000K 5000K	SKU: 1002 640 561
16 in. Diamond Selectable LED Flush Mount Ceiling Light 1450 Lumens Dimmable 22-Watts 120V 3000K 4000K 5000K	SKU: 1002 640 535
12 in. Diamond Design 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable Energy Star	SKU: 1002 640 558
	

Hampton Bay	
11 in. Glacier Decorative Border 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable	SKU: 1002 655 448
12 in. White Round 1-Light Smart Wink Hub Selectable LED Flush Mount Light Dimmable Amazon Alexa Compatible 2700K-5000K	SKU: 1001 621 495

EcoSmart	
150-Watt Equivalent PAR38 Dimmable ENERGY STAR CEC LED Light Bulb Selectable CCT (2700K-3000K-5000K)	SKU: 1004 511 060
60-Watt Equivalent A19 Dimmable LED Light Bulb, Selectable CCT 	SKU: 1004 511 049

Home Decorators	
Ashby Park 44 in. White Color Changing Integrated LED Brushed Nickel Ceiling Fan with Light Kit	SKU: 1004 065 044

Answer to Complaint No. 119: Denied.

Complaint No. 120: The products identified above feature the brightness selectable technology set forth in certain claims of the '001 Patent. For instance, as described by the exemplary marketing materials below, the Commercial Electric 13 in. Brushed Nickel Color

Changing LED Ceiling Flush Mount (SKU: 1003 334 178), is, as recited in claim 1 of the '001

Patent, an “LED lighting device” comprising:

a first operating LED circuit and at least one additional LED circuit, wherein at least one of the first operating LED circuit or the at least one additional LED circuit includes at least two LEDs connected in either series or parallel;

a switch that is selectable by a user and configured to at least one of independently switch on or off at least one of the first LED circuit or the at least one additional LED circuit, or switch at least one of the first LED circuit or the at least one additional LED circuit to a different level of brightness;

a driver connected to the first operating LED circuit and the at least one LED circuit;

wherein the LED lighting device is configured to connect to an AC mains power source;

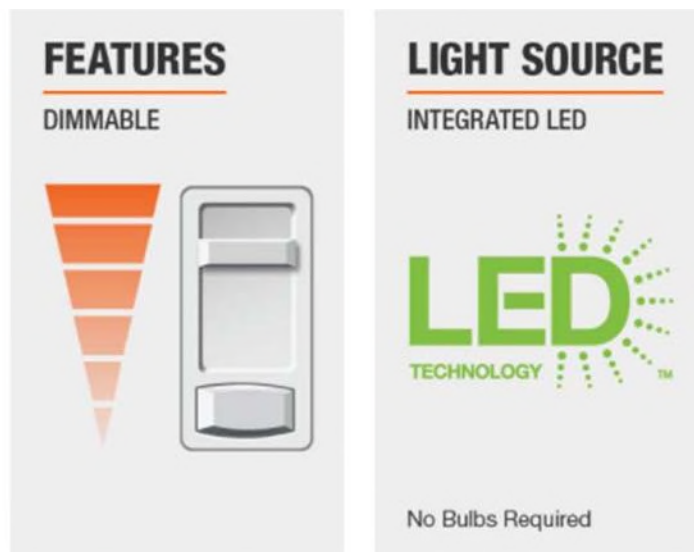
wherein the driver has an output voltage lower than the AC mains power source and increases a frequency to be higher than the AC mains power source frequency; and

wherein the first operating LED circuit and the at least one additional LED circuit both have a forward voltage of 6V or greater.

List of Tested Dimmers

May Also Work with Additional Dimmers Not Listed Below (Unlisted Dimmers Do Not Imply Non Compatibility)

- 1) LEVITON 6331-ILT
- 2) LUTRON MACL-153MLH-AL
- 3) LUTRON TGCL-153PH-LA
- 4) PASS & SEYMOUR HCL453PTCCCV6
- 5) PASS & SEYMOUR LSLV603PWV
- 6) LUTRON LGCL-153P
- 7) LUTRON SCL-153P
- 8) LUTRON TGCL-153PH-WH



Answer to Complaint No. 120: Denied.

Complaint No. 121: Home Depot also actively induces infringement of at least Claims 1, 6, 11, and 16 of the '001 Patent by selling each of the above-listed infringing products with accompanying instructions for use.

Answer to Complaint No. 121: Denied.

Complaint No. 122: Home Depot aids, instructs, or otherwise acts with the intent to cause an end user to use the above-listed infringing products in an infringing manner.

Answer to Complaint No. 122: Denied.

Complaint No. 123: Upon information and belief, Home Depot further actively induces its third-party vendors to infringe by making the above-listed infringing products according to Home Depot's specifications.

Answer to Complaint No. 123: Denied.

Complaint No. 124: The above-listed infringing products have no substantial non-infringing uses.

Answer to Complaint No. 124: Denied.

Complaint No. 125: Home Depot knew of the '001 Patent and knew that the actions of an end user would infringe at least Claims 1, 6, 11, and 16 of the '001 Patent.

Answer to Complaint No. 125: Denied.

Complaint No. 126: Lynk has been damaged as a result of the infringing conduct by Home Depot alleged above. Thus, Home Depot is liable to Lynk in an amount that compensates it for such infringement, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

Answer to Complaint No. 126: Denied.

Complaint No. 127: Home Depot's infringement of the '001 Patent has caused, and will continue to cause, Lynk to suffer substantial and irreparable harm.

Answer to Complaint No. 127: Denied.

Complaint No. 128: Home Depot has been aware that it infringes the '001 Patent since at least March 5, 2020. Upon information and belief, Home Depot was aware of its infringement of the '001 Patent at least as early as January 14, 2020, when the '001 Patent issued, through Home Depot's own freedom to operate analysis, initiated, in part, due to the communications Home Depot had with Mr. Miskin in 2018. If not, Home Depot has elected to be willfully blind to its infringement of at least Claims 1, 6, 11, and 16 of the '001 Patent.

Answer to Complaint No. 128: Denied.

Complaint No. 129: Home Depot's infringement of the '001 Patent has been willful.

Answer to Complaint No. 129: Denied.

Complaint No. 130: Lynk has complied with the marking requirements of 35 U.S.C. § 287 with respect to the '001 Patent.


Answer to Complaint No. 130: Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore deny them.

**SIXTH CAUSE OF ACTION
(Infringement of the '479 Patent)**

Complaint No. 131: Lynk incorporates by reference and realleges each and every allegation of Paragraphs 1 through 130 as if set forth herein.

Answer to Complaint No. 131: Defendants incorporate by reference their answers to paragraphs 1 through 130 as if fully set forth herein.


Complaint No. 132: Home Depot imports, offers for sale, and sells certain private label LED lights, which directly infringes at least Claims 2 and 9 of the '479 Patent. The infringing products include, without limitation:

Commercial Electric	
13 in. Brushed Nickel Color Changing LED Ceiling Flush Mount	SKU: 1003 334 178
13 in. Oil Rubbed Bronze Color Changing LED Ceiling Flush Mount	SKU: 1003 334 179
4 in. Matte White Integrated LED Recessed Trim 5-ways	SKU: 1002 936 200
8 in. Selectable Integrated LED Recessed Retrofit Trimless Trim	SKU: 1004 330 905
6 in. Selectable CCT Integrated LED Recessed Light Trim with Night Light Feature 670 Lumens 11-Watt Dimmable	SKU: 1003 456 565
5/6 in. Matte White Integrated LED Recessed Trim 5-Ways	SKU: 1002 936 204
6 in. Selectable Integrated LED Recessed Trim Downlight 30 Configurations in One Fixture High Ceiling Output Dimmable 	SKU: 1002 948 990
Easy-Up 6 in. Deep Baffle Color Selectable Canless LED Recessed Kit	SKU: 1003 240 066

Commercial Electric	
	
	Spin Light 7 in. White Selectable LED Flush Mount Ceiling Light Closet Laundry Basement 810 Lumens 3000K 4000K 5000K
	SKU: 1002 312 164
	Augusta 50 in. x 15 in. Low Profile LED Ceiling Light in Black, Washed Gray Frame 4000 Lumens 3000K 4000K 5000K Dimmable
	SKU: 1005 179 103
	1 ft. x 4 ft. 50W Dimmable White Integrated LED Edge-Lit Deco Flat Panel Flush Mount Ceiling Light with CCT
	SKU: 1002 632 077
	11 in. 12.5W Dimmable White Integrated LED Edge-Lit Round Flat Panel Flush Mount Ceiling Light with Color Changing CCT
	SKU: 1002 632 076
	15 in. 22.5-Watt Dimmable White Integrated LED Edge-Lit Round Flat Panel Flush Mount Ceiling Light w/ Color Changing CCT
	SKU: 1002 632 072
	Moroccan 48 in. x 10 in. Flush Mount Integrated LED Ceiling Light in Dark Bronze 4000 Lumens 3000K 4000K 5000K Dimmable
	SKU: 1005 179 080
	Ultra Slim Square 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit
	SKU: 1004 655 268
	Slim Baffle 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit
	SKU: 1004 655 270
	Slim Directional 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit
	SKU: 1004 655 273
	Ultra-Spot 4 in. Selectable New Construction and Remodel Color Canless Recessed Integrated LED Kit
	SKU: 1004 658 319

Commercial Electric	
6 in. White True Baffle Round Selectable CCT, LED Integrated High Lumen Recessed Lighting Kit, 2700/3000/3500/4000/5000K	SKU: 1004 658 318
4 in. White True Baffle Round Selectable CCT LED Integrated High Lumen Recessed Lighting Kit, 3000/4000/5000K	SKU: 1004 658 321
Slim Directional 6 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 282
Slim Baffle 6 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 279
Ultra Slim 3 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 266
Slim Baffle 3 in. Color Selectable New Construction and Remodel Canless Integrated LED Recessed Kit	SKU: 1004 655 284
Ultra Slim 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 277
Ultra Slim 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit Oil Rubbed Bronze	SKU: 1004 655 281

Hampton Bay	
9.8-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Spot Light	SKU: 1003 453 329
9.8-Watt Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 535 735
17-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 453 345
9.8-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 453 321
4.5-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 452 837
Mission Industrial 48 in. x 15 in. Brushed Nickel LED Flush Mount Light High Output 5500 Lumens 3000K 4000K 5000K	SKU: 1002 640 555
Mission Industrial 48 in. x 10 in. Rectangle Brushed Nickel LED Flush Mount Ceiling Light 3000 Lumens 3000K 4000K 5000K	SKU: 1002 640 560
Birds Nest Design 20 in. Round Black Selectable LED Flush Mount Ceiling Light 2000 Lumens Dimmable 3000K 4000K 5000K	SKU: 1002 640 556

Hampton Bay	
Birds Nest Design 15 in. Round Black Selectable LED Flush Mount Ceiling Light 1500 Lumens Dimmable 3000K 4000K 5000K	SKU: 1002 640 561
16 in. Diamond Selectable LED Flush Mount Ceiling Light 1450 Lumens Dimmable 22-Watts 120V 3000K 4000K 5000K	SKU: 1002 640 535
12 in. Diamond Design 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable Energy Star	SKU: 1002 640 558
	
11 in. Glacier Decorative Border 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable	SKU: 1002 655 448
12 in. White Round 1-Light Smart Wink Hub Selectable LED Flush Mount Light Dimmable Amazon Alexa Compatible 2700K-5000K	SKU: 1001 621 495

EcoSmart	
150-Watt Equivalent PAR38 Dimmable ENERGY STAR CEC LED Light Bulb Selectable CCT (2700K-3000K-5000K)	SKU: 1004 511 060
60-Watt Equivalent A19 Dimmable LED Light Bulb, Selectable CCT	SKU: 1004 511 049

EcoSmart	
	

Home Decorators	
Ashby Park 44 in. White Color Changing Integrated LED Brushed Nickel Ceiling Fan with Light Kit	SKU: 1004 065 044

Answer to Complaint No. 132: Denied.

Complaint No. 133: The products identified above feature the CCT and brightness selectable technology set forth in certain claims of the '479 Patent. For instance, as described by the exemplary marketing materials below, the Commercial Electric 13 in. Brushed Nickel Color Changing LED Ceiling Flush Mount (SKU: 1003 334 178), is, as recited in claim 1 of the '479 Patent, an "LED lighting system" comprising:


a first LED circuit having at least two LEDs;

a first switch configured to be controlled by a user to control an amount of voltage or current that flows through the at least two LEDs; and

a second switch that allows the first LED circuit to be disconnected from the AC voltage source and a second LED circuit to be connected to an AC voltage source;

wherein the first LED circuit provides light of a different level of brightness in response to adjustments of the first switch; and

wherein the LED lighting system is driven with the AC voltage source.



LIGHT SOURCE

INTEGRATED LED

LED TECHNOLOGY

No Bulbs Required

COLOR TEMPERATURE

DAYLIGHT 5000K


BRIGHT WHITE 4000K

SOFT WHITE 3000K


Adjustable Temperature at Installation with Integrated Switch

FEATURES

DIMMABLE



CHOOSE YOUR COLOR TEMPERATURE AT INSTALLATION



SOFT WHITE BRIGHT WHITE DAYLIGHT

Voltage

Line Voltage

List of Tested Dimmers

May Also Work with Additional Dimmers Not Listed Below (Unlisted Dimmers Do Not Imply Non Compatibility)

- 1) LEVITON 6331-1LT
- 2) LUTRON MACL-153MLH-AL
- 3) LUTRON TGCL-153PH-LA
- 4) PASS & SEYMOUR HCL453PTCCCV6
- 5) PASS & SEYMOUR LSLV603PWV
- 6) LUTRON LGCL-153P
- 7) LUTRON SCL-153P
- 8) LUTRON TGCL-153PH-WH

Answer to Complaint No. 133: Denied.

Complaint No. 134: Home Depot also actively induces infringement of at least Claims 2 and 9 of the '479 Patent by selling each of the above-listed infringing products with accompanying instructions for use.

Answer to Complaint No. 134: Denied.

Complaint No. 135: Home Depot aids, instructs, or otherwise acts with the intent to cause an end user to use the above-listed infringing products in an infringing manner.

Answer to Complaint No. 135: Denied.

Complaint No. 136: Upon information and belief, Home Depot further actively induces its third-party vendors to infringe by making the above-listed infringing products according to Home Depot's specifications.

Answer to Complaint No. 136: Denied.

Complaint No. 137: The above-listed infringing products have no substantial non-infringing uses.

Answer to Complaint No. 137: Denied.

Complaint No. 138: Home Depot knew of the '479 Patent and knew that the actions of an end user would infringe at least Claims 2 and 9 of the '479 Patent.

Answer to Complaint No. 138: Denied.

Complaint No. 139: Lynk has been damaged as a result of the infringing conduct by Home Depot alleged above. Thus, Home Depot is liable to Lynk in an amount that compensates it for such infringement, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

Answer to Complaint No. 139: Denied.

Complaint No. 140: Home Depot's infringement of the '479 Patent has caused, and will continue to cause, Lynk to suffer substantial and irreparable harm.

Answer to Complaint No. 140: Denied.

Complaint No. 141: Home Depot has been aware that it infringes the '479 Patent since at least March 5, 2020. Upon information and belief, Home Depot was aware of its infringement of the '479 Patent at least as early as July 9, 2019, when the '479 Patent issued, through Home Depot's own freedom to operate analysis, initiated, in part, due to the communications Home Depot had with Mr. Miskin in 2018. If not, Home Depot has elected to be willfully blind to its infringement of at least Claims 2 and 9 of the '479 Patent.

Answer to Complaint No. 141: Denied.

Complaint No. 142: Home Depot's infringement of the '479 Patent has been willful.

Answer to Complaint No. 142: Denied.

Complaint No. 143: Lynk has complied with the marking requirements of 35 U.S.C. § 287 with respect to the '479 Patent.

Answer to Complaint No. 143: Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore deny them.

**SEVENTH CAUSE OF ACTION
(Infringement of the '979 Patent)**


Complaint No. 144: Lynk incorporates by reference and realleges each and every allegation of Paragraphs 1 through 143 as if set forth herein.

Answer to Complaint No. 144: Defendants incorporate by reference their answers to paragraphs 1 through 143 as if fully set forth herein.


Complaint No. 145: Home Depot imports, offers for sale, and sells certain private label LED lights, which directly infringes at least Claim 7 of the '979 Patent. The infringing products include, without limitation:

Commercial Electric	
Spin Light 7 in. White Selectable LED Flush Mount Ceiling Light Closet Laundry Basement 810 Lumens 3000K 4000K 5000K	SKU: 1002 312 164
11 in. 120-Watt Equivalent Satin Bronze Integrated LED Flush Mount with Frosted White Glass Shade	SKU: 1000 053 226
11 in. 60-Watt Equivalent Brushed Nickel Integrated LED Flush Mount with Frosted White Glass Shade	SKU: 696 626
11 in. 120-Watt Equivalent Brushed Nickel Integrated LED Flush Mount with Frosted White Glass Shade	SKU: 1000 053 218
11 in. 60-Watt Equivalent Oil-Rubbed Bronze Integrated LED Flush Mount with Frosted White Glass Shade	SKU: 697 388
9 in. Oil Rubbed Bronze LED Flush Mount	SKU: 1000 054 718
9 in. Brushed Nickel LED Flush Mount	SKU: 1000 054 715
9 in. 120-Watt Equivalent White Integrated LED Mushroom Flush Mount with White Acrylic Shade	SKU: 1000 054 719
Spin Light 5 in. White LED Flush Mount Ceiling Light 600 Lumens 4000K Bright White Closet Basement Utility	SKU: 1002 424 296

Commercial Electric	
7 in. Low Profile Round LED Flush Mount Ceiling Light Fixture Modern Smooth Cover 810 Lumens 4000K Bright White	SKU: 1001 615 888
4 in. White True Baffle Round Selectable CCT LED Integrated High Lumen Recessed Lighting Kit, 3000/4000/5000K	SKU: 1004 658 321
Spin Light 11 in. LED Flush Mount Ceiling Light High Output 1600 Lumens 22-Watt 4000K Bright White No Bulbs	SKU: 1001 258 405

Hampton Bay	
16 in. Diamond Selectable LED Flush Mount Ceiling Light 1450 Lumens Dimmable 22-Watts 120V 3000K 4000K 5000K	SKU: 1002 640 535
12 in. Diamond Design 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable Energy Star	SKU: 1002 640 558
	
11 in. Glacier Decorative Border 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable	SKU: 1002 655 448
13 in. 180-Watt Equivalent White Integrated LED Flush Mount with Frosted Glass Shade	SKU: 1001 834 980
180-Watt Equivalent White LED Ceiling Flush Mount	SKU: 1003 239 942
13 in. 360-Watt Equivalent Brushed Nickel Integrated LED Flush Mount with Frosted Glass Shade	SKU: 1001 720 362
13 in. 360-Watt Equivalent Oil-Rubbed Bronze Integrated LED Flush Mount with Frosted Glass Shade	SKU: 1001 720 400

Hampton Bay	
11 in. 120-Watt Equivalent Brushed Nickel Square Integrated LED Flush Mount with White Glass Shade	SKU: 1001 254 803
11 in. 120-Watt Equivalent Oil-Rubbed Bronze Square Integrated LED Flush Mount with White Glass Shade	SKU: 1001 254 900
Dimmable 20 in. Round White LED Flush Mount Ceiling Light Fixture 2200 Lumens 4000K Bright White	SKU: 1000 236 762
16 in. Bright White Round LED Flush Mount Ceiling Light Fixture 1640 Lumens 4000K 22-Watt Dimmable ENERGY STAR Rated	SKU: 1000 236 729
12 in. Round LED Flush Mount Light Pantry Laundry Closet Light 1000 Lumens Dimmable 4000K Bright White	SKU: 1000 236 597

EcoSmart	
6 in. White Integrated LED Recessed Trim, 2700K Soft White 	SKU: 1002 936 719
6 in. White Integrated LED Recessed Trim, 5000K Daylight	SKU: 1002 936 732
4 in. White Integrated LED Recessed Trim, Daylight	SKU: 1002 936 683
4 in. White Integrated LED Recessed Trim, Soft White	SKU: 1002 936 677

Home Decorators	
Ashby Park 44 in. White Color Changing Integrated LED Brushed Nickel Ceiling Fan with Light Kit	SKU: 1004 065 044

Home Decorators	
<p>Mauvo Canyon Collection 11 in. Black Outdoor Seeded Glass Dusk to Dawn Wall Lantern Sconce</p> 	SKU: 1002 067 336
<p>Mauvo Canyon Collection 15.5 in. Black Outdoor Seeded Glass Dusk to Dawn Wall Lantern Sconce</p>	SKU: 1002 067 341

Answer to Complaint No. 145: Denied.

Complaint No. 146: The products identified above feature the DoB technology set forth in certain claims of the '979 Patent. For instance, as shown by the exemplary photos below, the EcoSmart 6 in. White Integrated LED Recessed Trim, 2700K Soft White (SKU: 1002 936 719), is, as recited in claim 7 of the '979 Patent, an "LED lighting system" comprising:

a lighting device configured to be connected directly to a mains AC voltage power source, wherein the lighting device comprises:

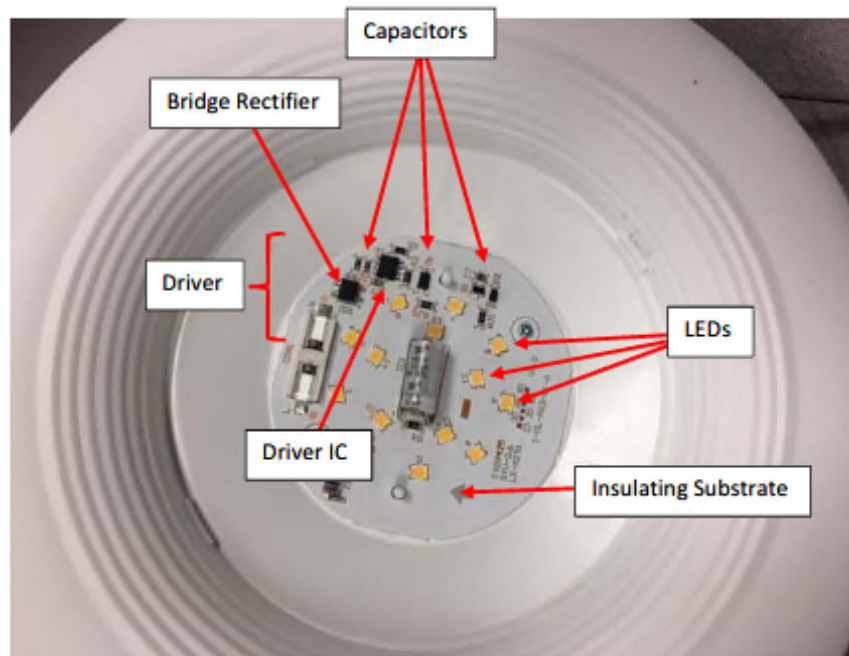
an LED circuit comprising two or more LEDs connected together in series to match a forward voltage drop of the mains AC power source,

an LED driver circuit comprising a driver integrated circuit, a bridge rectifier, and a capacitor,

wherein the driver integrated circuit, the bridge rectifier, the capacitor, and the LEDs are all mounted on a single insulating substrate, and

wherein the LED driver circuit comprises an input configured to receive a first AC voltage from the mains AC voltage power source and to provide a DC voltage output to the LEDs; and

a first lens covering the lighting device.



Answer to Complaint No. 146: Denied.

Complaint No. 147: Home Depot also actively induces infringement of at least Claim 7 of the '979 Patent by selling each of the above-listed infringing products with accompanying instructions for use.

Answer to Complaint No. 147: Denied.

Complaint No. 148: Home Depot aids, instructs, or otherwise acts with the intent to cause an end user to use the above-listed infringing products in an infringing manner.

Answer to Complaint No. 148: Denied.

Complaint No. 149: Upon information and belief, Home Depot further actively induces its third-party vendors to infringe by making the above-listed infringing products according to Home Depot's specifications.

Answer to Complaint No. 149: Denied.

Complaint No. 150: The above-listed infringing products have no substantial non-infringing uses.

Answer to Complaint No. 150: Denied.

Complaint No. 151: Home Depot knew of the '979 Patent and knew that the actions of an end user would infringe at least Claim 7 of the '979 Patent.

Answer to Complaint No. 151: Denied.

Complaint No. 152: Lynk has been damaged as a result of the infringing conduct by Home Depot alleged above. Thus, Home Depot is liable to Lynk in an amount that compensates it for such infringement, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

Answer to Complaint No. 152: Denied.

Complaint No. 153: Home Depot's infringement of the '979 Patent has caused, and will continue to cause, Lynk to suffer substantial and irreparable harm.

Answer to Complaint No. 153: Denied.

Complaint No. 154: Home Depot has been aware that it infringes the '979 Patent since at least April 29, 2020. Upon information and belief, Home Depot was aware of its infringement of the '979 Patent at least as early as May 12, 2020, when the '979 Patent issued, through Home Depot's own freedom to operate analysis, initiated, in part, due to the communications Home Depot had with Mr. Miskin in 2018. If not, Home Depot has elected to be willfully blind to its infringement of at least Claim 7 of the '979 Patent.

Answer to Complaint No. 154: Denied.

Complaint No. 155: Home Depot's infringement of the '979 Patent has been willful.

Answer to Complaint No. 155: Denied.

Complaint No. 156: Lynk has complied with the marking requirements of 35 U.S.C. § 287 with respect to the '979 Patent.

Answer to Complaint No. 156: Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore deny them.

**EIGHTH CAUSE OF ACTION
(Infringement of the '551 Patent)**

Complaint No. 157: Lynk incorporates by reference and realleges each and every allegation of Paragraphs 1 through 156 as if set forth herein.

Answer to Complaint No. 157: Defendants incorporate by reference their answers to paragraphs 1 through 156 as if fully set forth herein.

Complaint No. 158: Home Depot imports, offers for sale, and sells certain private label LED lighting products, which directly infringes at least Claims 1 and 5 of the '551 Patent. The infringing products include, without limitation:


Commercial Electric	
Spin Light 7 in. White Selectable LED Flush Mount Ceiling Light Closet Laundry Basement 810 Lumens 3000K 4000K 5000K	SKU: 1002 312 164
11 in. 120-Watt Equivalent Satin Bronze Integrated LED Flush Mount with Frosted White Glass Shade	SKU: 1000 053 226
11 in. 60-Watt Equivalent Brushed Nickel Integrated LED Flush Mount with Frosted White Glass Shade	SKU: 696 626
11 in. 120-Watt Equivalent Brushed Nickel Integrated LED Flush Mount with Frosted White Glass Shade	SKU: 1000 053 218
11 in. 60-Watt Equivalent Oil-Rubbed Bronze Integrated LED Flush Mount with Frosted White Glass Shade	SKU: 697 388
9 in. Oil Rubbed Bronze LED Flush Mount	SKU: 1000 054 718
9 in. Brushed Nickel LED Flush Mount	SKU: 1000 054 715
9 in. 120-Watt Equivalent White Integrated LED Mushroom Flush Mount with White Acrylic Shade	SKU: 1000 054 719
Spin Light 5 in. White LED Flush Mount Ceiling Light 600 Lumens 4000K Bright White Closet Basement Utility	SKU: 1002 424 296
7 in. Low Profile Round LED Flush Mount Ceiling Light Fixture Modern Smooth Cover 810 Lumens 4000K Bright White	SKU: 1001 615 888
4 in. White True Baffle Round Selectable CCT LED Integrated High Lumen Recessed Lighting Kit, 3000/4000/5000K	SKU: 1004 658 321
Spin Light 11 in. LED Flush Mount Ceiling Light High Output 1600 Lumens 22-Watt 4000K Bright White No Bulbs	SKU: 1001 258 405

Hampton Bay	
16 in. Diamond Selectable LED Flush Mount Ceiling Light 1450 Lumens Dimmable 22-Watts 120V 3000K 4000K 5000K	SKU: 1002 640 535
12 in. Diamond Design 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable Energy Star	SKU: 1002 640 558

Hampton Bay	
	
11 in. Glacier Decorative Border 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable	SKU: 1002 655 448
13 in. 180-Watt Equivalent White Integrated LED Flush Mount with Frosted Glass Shade	SKU: 1001 834 980
180-Watt Equivalent White LED Ceiling Flush Mount	SKU: 1003 239 942
13 in. 360-Watt Equivalent Brushed Nickel Integrated LED Flush Mount with Frosted Glass Shade	SKU: 1001 720 362
13 in. 360-Watt Equivalent Oil-Rubbed Bronze Integrated LED Flush Mount with Frosted Glass Shade	SKU: 1001 720 400
11 in. 120-Watt Equivalent Brushed Nickel Square Integrated LED Flush Mount with White Glass Shade	SKU: 1001 254 803
11 in. 120-Watt Equivalent Oil-Rubbed Bronze Square Integrated LED Flush Mount with White Glass Shade	SKU: 1001 254 900
Dimmable 20 in. Round White LED Flush Mount Ceiling Light Fixture 2200 Lumens 4000K Bright White	SKU: 1000 236 762
16 in. Bright White Round LED Flush Mount Ceiling Light Fixture 1640 Lumens 4000K 22-Watt Dimmable ENERGY STAR Rated	SKU: 1000 236 729
12 in. Round LED Flush Mount Light Pantry Laundry Closet Light 1000 Lumens Dimmable 4000K Bright White	SKU: 1000 236 597

EcoSmart	
6 in. White Integrated LED Recessed Trim, 2700K Soft White	SKU: 1002 936 719

EcoSmart	
 <p>The image shows a box of EcoSmart LED recessed trim. The box is blue and white, featuring the EcoSmart logo and 'LED' branding. It specifies '65w REPLACEMENT', 'SOFT WHITE', and '4 PACK - 6 in DOWNLIGHT'. A circular badge on the left says 'LASTS 31 YEARS'. The bottom of the box has a '31 YEAR' warranty logo.</p>	
6 in. White Integrated LED Recessed Trim, 5000K Daylight	SKU: 1002 936 732
4 in. White Integrated LED Recessed Trim, Daylight	SKU: 1002 936 683
4 in. White Integrated LED Recessed Trim, Soft White	SKU: 1002 936 677

Home Decorators	
Ashby Park 44 in. White Color Changing Integrated LED Brushed Nickel Ceiling Fan with Light Kit	SKU: 1004 065 044
Mauvo Canyon Collection 11 in. Black Outdoor Seeded Glass Dusk to Dawn Wall Lantern Sconce  <p>The image shows the packaging for a Mauvo Canyon Collection LED wall lantern. The box is dark with a red vertical stripe on the left. It features the 'HOME DECORATORS COLLECTION' logo and 'LED' branding. A yellow sticker says 'Save Energy Save Money!'. A black sticker with a moon icon says 'Turns On At Dusk, Off at Dawn'. The product number '1002 067 336' is visible at the top right. The bottom left corner shows a price tag of '\$1.26'.</p>	SKU: 1002 067 336
Mauvo Canyon Collection 15.5 in. Black Outdoor Seeded Glass Dusk to Dawn Wall Lantern Sconce	SKU: 1002 067 341

Answer to Complaint No. 158: Denied.

Complaint No. 159: The products identified above feature the DoB technology set forth in certain claims of the '551 Patent. For instance, as shown by the exemplary photos below, the EcoSmart 6 in. White Integrated LED Recessed Trim, 2700K Soft White (SKU: 1002 936 719), is, as recited in claim 1 of the '551 Patent, an “LED lighting system” comprising:

an LED circuit having at least one LED;

a bridge rectifier;

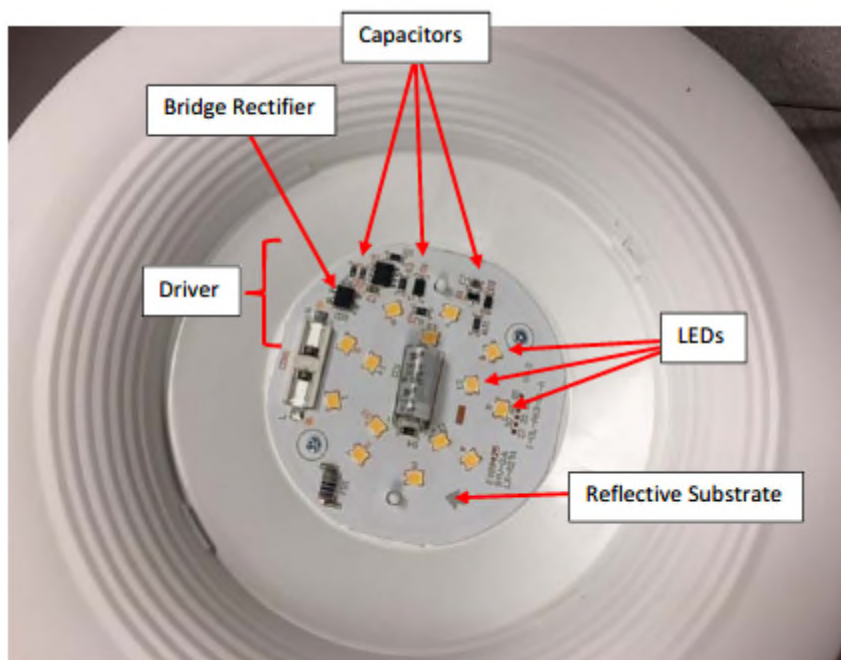
at least one capacitor;

a driver connected to the bridge rectifier;

the driver, bridge rectifier, at least one capacitor and at least one LED circuit all mounted on a reflective substrate,

the driver providing rectified AC voltage and current to the LED circuit,

the driver having an input of a first rectified AC voltage and a first frequency from a mains power source.



Answer to Complaint No. 159: Denied.

Complaint No. 160: Home Depot also actively induces infringement of at least Claims 1 and 5 of the '551 Patent by selling each of the above-listed infringing products with accompanying instructions for use.

Answer to Complaint No. 160: Denied.

Complaint No. 161: Home Depot aids, instructs, or otherwise acts with the intent to cause an end user to use the above-listed infringing products in an infringing manner.

Answer to Complaint No. 161: Denied.

Complaint No. 162: Upon information and belief, Home Depot further actively induces its third-party vendors to infringe by making the above-listed infringing products according to Home Depot's specifications.

Answer to Complaint No. 162: Denied.

Complaint No. 163: The above-listed infringing products have no substantial non-infringing uses.

Answer to Complaint No. 163: Denied.

Complaint No. 164: Home Depot knew of the '551 Patent and knew that the actions of an end user would infringe at least Claims 1 and 5 of the '551 Patent.

Answer to Complaint No. 164: Denied.

Complaint No. 165: Lynk has been damaged as a result of the infringing conduct by Home Depot alleged above. Thus, Home Depot is liable to Lynk in an amount that compensates it for such infringement, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

Answer to Complaint No. 165: Denied.

Complaint No. 166: Home Depot's infringement of the '551 Patent has caused, and will continue to cause, Lynk to suffer substantial and irreparable harm.

Answer to Complaint No. 166: Denied.

Complaint No. 167: Home Depot has been aware that it infringes the '551 Patent since at least March 5, 2020. Upon information and belief, Home Depot was aware of its infringement of the '551 Patent at least as early as December 11, 2018, when the '551 Patent issued, through Home Depot's own freedom to operate analysis, initiated, in part, due to the communications Home Depot had with Mr. Miskin in 2018. If not, Home Depot has elected to be willfully blind to its infringement of at least Claims 1 and 5 of the '551 Patent.

Answer to Complaint No. 167: Denied.

Complaint No. 168: Home Depot's infringement of the '551 Patent has been willful.

Answer to Complaint No. 168: Denied.

Complaint No. 169: Lynk has complied with the marking requirements of 35 U.S.C. § 287 with respect to the '551 Patent.


Answer to Complaint No. 169: Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore deny them.


**NINTH CAUSE OF ACTION
(Infringement of the '149 Patent)**

Complaint No. 170: Lynk incorporates by reference and realleges each and every allegation of Paragraphs 1 through 169 as if set forth herein.

Answer to Complaint No. 170: Defendants incorporate by reference its answers to paragraphs 1 through 169 as if fully set forth herein.

Complaint No. 171: Home Depot imports, offers for sale, and sells certain private label LED lighting products, which directly infringes at least Claim 1 of the '149 Patent. The infringing products include at least:

Commercial Electric	
13 in. Brushed Nickel Color Changing LED Ceiling Flush Mount	SKU: 1003 334 178
13 in. Oil Rubbed Bronze Color Changing LED Ceiling Flush Mount	SKU: 1003 334 179
4 in. Matte White Integrated LED Recessed Trim 5-ways	SKU: 1002 936 200
8 in. Selectable Integrated LED Recessed Retrofit Trimless Trim	SKU: 1004 330 905
6 in. Selectable CCT Integrated LED Recessed Light Trim with Night Light Feature 670 Lumens 11-Watt Dimmable	SKU: 1003 456 565
5/6 in. Matte White Integrated LED Recessed Trim 5-Ways	SKU: 1002 936 204
6 in. Selectable Integrated LED Recessed Trim Downlight 30 Configurations in One Fixture High Ceiling Output Dimmable 	SKU: 1002 948 990
Easy-Up 6 in. Deep Baffle Color Selectable Canless LED Recessed Kit	SKU: 1003 240 066

Commercial Electric	
	
	Spin Light 7 in. White Selectable LED Flush Mount Ceiling Light Closet Laundry Basement 810 Lumens 3000K 4000K 5000K
	Augusta 50 in. x 15 in. Low Profile LED Ceiling Light in Black, Washed Gray Frame 4000 Lumens 3000K 4000K 5000K Dimmable
	1 ft. x 4 ft. 50W Dimmable White Integrated LED Edge-Lit Deco Flat Panel Flush Mount Ceiling Light with CCT
	11 in. 12.5W Dimmable White Integrated LED Edge-Lit Round Flat Panel Flush Mount Ceiling Light with Color Changing CCT
	15 in. 22.5-Watt Dimmable White Integrated LED Edge-Lit Round Flat Panel Flush Mount Ceiling Light w/ Color Changing CCT
	11 in. 120-Watt Equivalent Satin Bronze Integrated LED Flush Mount with Frosted White Glass Shade
	13 in. 60-Watt Equivalent Oil-Rubbed Bronze Integrated LED Flush Mount with White Glass Shade
	11 in. 60-Watt Equivalent Brushed Nickel Integrated LED Flush Mount with Frosted White Glass Shade
	11 in. 120-Watt Equivalent Brushed Nickel Integrated LED Flush Mount with Frosted White Glass Shade
	11 in. 60-Watt Equivalent Oil-Rubbed Bronze Integrated LED Flush Mount with Frosted White Glass Shade

Commercial Electric	
9 in. Oil Rubbed Bronze LED Flush Mount	SKU: 1000 054 718
9 in. Brushed Nickel LED Flush Mount	SKU: 1000 054 715
9 in. 120-Watt Equivalent White Integrated LED Mushroom Flush Mount with White Acrylic Shade	SKU: 1000 054 719
Ultra Slim Square 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 268
Slim Baffle 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 270
Slim Directional 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 273
Ultra-Spot 4 in. Selectable New Construction and Remodel Color Canless Recessed Integrated LED Kit	SKU: 1004 658 319
6 in. White True Baffle Round Selectable CCT, LED Integrated High Lumen Recessed Lighting Kit, 2700/3000/3500/4000/5000K	SKU: 1004 658 318
4 in. White True Baffle Round Selectable CCT LED Integrated High Lumen Recessed Lighting Kit, 3000/4000/5000K	SKU: 1004 658 321
Slim Directional 6 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 282
Slim Baffle 6 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 279
Ultra Slim 3 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 266
Slim Baffle 3 in. Color Selectable New Construction and Remodel Canless Integrated LED Recessed Kit	SKU: 1004 655 284
Ultra Slim 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit	SKU: 1004 655 277
Ultra Slim 4 in. Color Selectable New Construction and Remodel Canless Recessed Integrated LED Kit Oil Rubbed Bronze	SKU: 1004 655 281
12 in. Adjustable Motion Sensor LED Flush Mount Ceiling Light 1000 Lumens Direct Wire 4000K	SKU: 1002 662 065
Spin Light 5 in. White LED Flush Mount Ceiling Light 600 Lumens 4000K Bright White Closet Basement Utility	SKU: 1002 424 296
4 ft. 64-Watt Equivalent White Integrated LED Shop Light 4000K Bright White 3200 Lumens Linkable 5 ft. Cord Included	SKU: 1002 760 845

Commercial Electric	
4 ft. 64-Watt Equivalent White Integrated LED Shop Light 4000K Bright White 3200 Lumens Linkable 5 ft. Cord Included	SKU: 1000 532 467
Moroccan 48 in. x 10 in. Flush Mount Integrated LED Ceiling Light in Dark Bronze 4000 Lumens 3000K 4000K 5000K Dimmable	SKU: 1005 179 080
40 in. 64-Watt Equivalent Integrated LED Black Brushed Nickel Shop Light with Bluetooth Speakers 3500 Lumens 4000K	SKU: 1001 833 893
4 ft. 64-Watt Equivalent White Integrated LED Shop Light 4000K Bright White 3200 Lumens Linkable 5 ft. Cord Included	SKU: 1000 532 467
4 ft. 1-Light 30-Watt White Integrated Utility LED Shop Light with Pull Chain	SKU: 1001 698 107
3 ft. 1-Light 30-Watt Equivalent White Integrated Utility LED Shop Light with Power Cord	SKU: 1003 235 453
4 ft. 20-Watt Plug-in Direct Wire Integrated LED White Linkable Strip Light Fixture 1800 Lumens 4000K Bright White	SKU: 1001 391 348
2 ft. 10-Watt Plug-in Direct Wire Integrated LED White Linkable Strip Light Fixture 900 Lumens 4000K Bright White	SKU: 1001 390 177
Direct Wire Power 2 ft. 34-Watt Equivalent Integrated LED White Strip Light Fixture 4000K Bright White 1800 Lumens	SKU: 1001 390 037
Low Profile 4 ft. 3600 Lumens Integrated LED White Wraparound Ceiling Light Direct Wire 4000K Bright White	SKU: 1001 361 676
7 in. Low Profile Round LED Flush Mount Ceiling Light Fixture Modern Smooth Cover 810 Lumens 4000K Bright White	SKU: 1001 615 888
Spin Light 11 in. LED Flush Mount Ceiling Light High Output 1600 Lumens 22-Watt 4000K Bright White No Bulbs	SKU: 1001 258 405
Direct Wire 12 in. LED White Under Cabinet Light	SKU: 1001 192 583
18 in. LED Direct Wire Under Cabinet Light	SKU: 1001 217 444
24 in. LED White Direct Wire Under Cabinet Light	SKU: 1001 217 457
9 in. LED White Direct Wire Under Cabinet Light	SKU: 1001 217 466
9 in. LED Under Cabinet Light Plug-in Linkable Dimmer Switch Captive Mounting Screws 250 Lumens 2700K 3000K 4000K	SKU: 1003 580 934

Hampton Bay	
1-Light Solar Outdoor Integrated LED 3000K 30-Lumens Rock Spot Light	SKU: 1001 486 697

Hampton Bay	
9.8-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Spot Light	SKU: 1003 453 329
9.8-Watt Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 535 735
17-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 453 345
9.8-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 453 321
4.5-Watt Millennium Black Adjustable Light Color Outdoor Integrated LED Landscape Flood Light	SKU: 1003 452 837
Mission Industrial 48 in. x 15 in. Brushed Nickel LED Flush Mount Light High Output 5500 Lumens 3000K 4000K 5000K	SKU: 1002 640 555
Mission Industrial 48 in. x 10 in. Rectangle Brushed Nickel LED Flush Mount Ceiling Light 3000 Lumens 3000K 4000K 5000K	SKU: 1002 640 560
Birds Nest Design 20 in. Round Black Selectable LED Flush Mount Ceiling Light 2000 Lumens Dimmable 3000K 4000K 5000K	SKU: 1002 640 556
Birds Nest Design 15 in. Round Black Selectable LED Flush Mount Ceiling Light 1500 Lumens Dimmable 3000K 4000K 5000K	SKU: 1002 640 561
16 in. Diamond Selectable LED Flush Mount Ceiling Light 1450 Lumens Dimmable 22-Watts 120V 3000K 4000K 5000K	SKU: 1002 640 535
12 in. Diamond Design 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable Energy Star	SKU: 1002 640 558
	

Hampton Bay	
11 in. Glacier Decorative Border 3000K 4000K 5000K Selectable LED Flush Mount Ceiling Light 910 Lumens Dimmable	SKU: 1002 655 448
12 in. White Round 1-Light Smart Wink Hub Selectable LED Flush Mount Light Dimmable Amazon Alexa Compatible 2700K-5000K	SKU: 1001 621 495
13 in. 180-Watt Equivalent White Integrated LED Flush Mount with Frosted Glass Shade	SKU: 1001 834 980
180-Watt Equivalent White LED Ceiling Flush Mount	SKU: 1003 239 942
13 in. 360-Watt Equivalent Brushed Nickel Integrated LED Flush Mount with Frosted Glass Shade	SKU: 1001 720 362
13 in. 360-Watt Equivalent Oil-Rubbed Bronze Integrated LED Flush Mount with Frosted Glass Shade	SKU: 1001 720 400
11 in. 120-Watt Equivalent Brushed Nickel Square Integrated LED Flush Mount with White Glass Shade	SKU: 1001 254 803
11 in. 120-Watt Equivalent Oil-Rubbed Bronze Square Integrated LED Flush Mount with White Glass Shade	SKU: 1001 254 900
Dimmable 20 in. Round White LED Flush Mount Ceiling Light Fixture 2200 Lumens 4000K Bright White	SKU: 1000 236 762
16 in. Bright White Round LED Flush Mount Ceiling Light Fixture 1640 Lumens 4000K 22-Watt Dimmable ENERGY STAR Rated	SKU: 1000 236 729
12 in. Round LED Flush Mount Light Pantry Laundry Closet Light 1000 Lumens Dimmable 4000K Bright White	SKU: 1000 236 597
Brushed Nickel LED Oval Flush Mount	SKU: 1000 021 230
Arctic Glacier White Large LED Flush Mount	SKU: 1001 705 602
49 in. x 10 in. Traditional Rectangle Angled Lens LED Flush Mount Ceiling Light Dimmable 3000 Lumens 4000K	SKU: 1000 532 454
49 in. x 18 in. Traditional Rectangle Smooth Lens LED Flush Mount Ceiling Light Dimmable High Output 5500 Lumens 4000K	SKU: 1000 532 369

EcoSmart	
6 in. White Integrated LED Recessed Trim, 2700K Soft White	SKU: 1002 936 719

 <p>The image shows the packaging for Ecosmart LED light fixtures. The top half is blue with the Ecosmart logo and 'LED' text. It features a picture of four white, dome-shaped fixtures. Text on the box includes '65w REPLACEMENT', 'SOFT WHITE', '4 PACK - 6 in DOWNLIGHT', 'DIMMABLE', and 'FOR SCREW-IN BASE ONLY'. A '31 YEAR' warranty badge is visible at the bottom right.</p>	
6 in. White Integrated LED Recessed Trim, 5000K Daylight	SKU: 1002 936 732
4 in. White Integrated LED Recessed Trim, Daylight	SKU: 1002 936 683
4 in. White Integrated LED Recessed Trim, Soft White	SKU: 1002 936 677

Home Decorators	
Ashby Park 44 in. White Color Changing Integrated LED Brushed Nickel Ceiling Fan with Light Kit	SKU: 1004 065 044
<p>Mauvo Canyon Collection 11 in. Black Outdoor Seeded Glass Dusk to Dawn Wall Lantern Sconce</p>  <p>The image shows the packaging for a Mauvo Canyon Collection wall lantern sconce. The box is dark red with a picture of the black lantern. Text on the box includes 'HOME DECORATORS COLLECTION', 'Small Exterior LED Wall Lantern', 'Mauvo Canyon Collection', 'LED', 'Save Energy Save Money!', 'Turns On at Dusk', and 'Se accende al buio'. A price tag of \$1.26 is visible at the bottom left.</p>	SKU: 1002 067 336
Mauvo Canyon Collection 15.5 in. Black Outdoor Seeded Glass Dusk to Dawn Wall Lantern Sconce	SKU: 1002 067 341

Answer to Complaint No. 171: Denied.

Complaint No. 172: The products identified above feature the Integrated Driver technology set forth in certain claims of the '149 Patent. For instance, as shown by the exemplary photos below, the EcoSmart 6 in. White Integrated LED Recessed Trim, 2700K Soft White (SKU: 1002 936 719), is, as recited in claim 1 of the '149 Patent, an “lighting system” comprising:

A lighting system comprising:

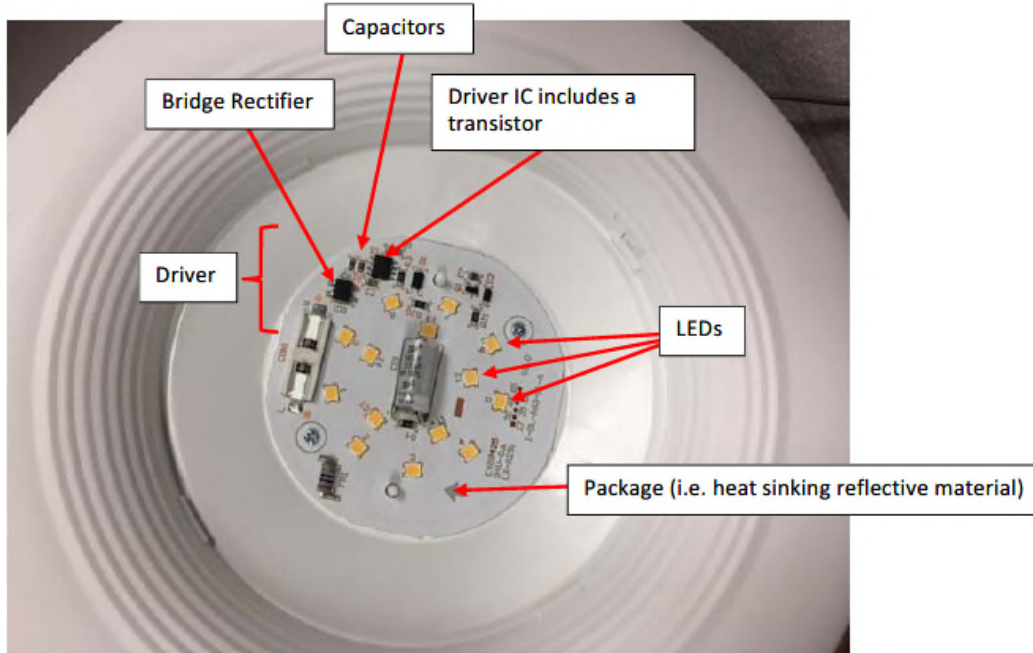
at least one LED circuit having a plurality of LEDs, wherein the plurality of LEDs includes same or different colored LEDs;

a driver, wherein the driver includes at least one transistor and at least one capacitor; and

a package, wherein the package is a heat sinking reflective material;

the driver and the at least one LED circuit all mounted on the package; and

the driver is configured to receive an AC voltage from a mains power source and provide a voltage and current to the at least one LED circuit.



Answer to Complaint No. 172: Denied.

Complaint No. 173: Home Depot also actively induces infringement of at least Claim 1 of the '149 Patent by selling each of the above-listed infringing products with accompanying instructions for use.

Answer to Complaint No. 173: Denied.

Complaint No. 174: Home Depot aids, instructs, or otherwise acts with the intent to cause an end user to use the above-listed infringing products in an infringing manner.

Answer to Complaint No. 174: Denied.

Complaint No. 175: Upon information and belief, Home Depot further actively induces its third-party vendors to infringe by making the above-listed infringing products according to Home Depot's specifications.

Answer to Complaint No. 175: Denied.

Complaint No. 176: The above-listed infringing products have no substantial non-infringing uses.

Answer to Complaint No. 176: Denied.

Complaint No. 177: Home Depot knew of the '149 Patent and knew that the actions of an end user would infringe at least Claim 1 of the '149 Patent.

Answer to Complaint No. 177: Denied.

Complaint No. 178: Lynk has been damaged as a result of the infringing conduct by Home Depot alleged above. Thus, Home Depot is liable to Lynk in an amount that compensates it for such infringement, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

Answer to Complaint No. 178: Denied.

Complaint No. 179: Home Depot's infringement of the '149 Patent has caused, and will continue to cause, Lynk to suffer substantial and irreparable harm.

Answer to Complaint No. 179: Denied.

Complaint No. 180: Home Depot has been aware that it infringes the '149 Patent since at least March 5, 2020. Upon information and belief, Home Depot was aware of its infringement of the '149 Patent at least as early as December 24, 2019, when the '149 Patent issued, through Home Depot's own freedom to operate analysis, initiated, in part, due to the communications Home Depot had with Mr. Miskin in 2018. If not, Home Depot has elected to be willfully blind to its infringement of at least Claim 1 of the '149 Patent.

Answer to Complaint No. 180: Denied.

Complaint No. 181: Home Depot's infringement of the '149 Patent has been willful.

Answer to Complaint No. 181: Denied.

Complaint No. 182: Lynk has complied with the marking requirements of 35 U.S.C. § 287 with respect to the '149 Patent.

Answer to Complaint No. 182: Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore deny them.

PRAYER FOR RELIEF

Defendants deny that Plaintiff is entitled to any relief requested in its Prayer for Relief, or any other relief whatsoever in connection with the Patents-in-Suit.

DEFENDANTS' ADDITIONAL DEFENSES

Defendants assert the following additional defenses to the allegations in the Complaint:

First Additional Defense (Failure to State a Claim)

The Complaint fails to state a claim upon which relief can be granted.

Second Additional Defense (Invalidity)

The claims of the Patents-in-Suit are invalid for failing to comply with the conditions of patentability set forth in the patent laws of the United States, 35 U.S.C. § 101, *et seq.*, including without limitation, at least 35 U.S.C. §§ 101, 102, 103, and/or 112. More specifically, and without limitation, the claims of the Patents-in-Suit are invalid under 35 U.S.C. § 101 for lack of patentable subject matter, and under 102 and/or 103 because they are anticipated or rendered obvious by relevant prior art, including but not limited to the prior art of record during prosecution of the Patents-in-Suit and additional prior art that will be identified during discovery in this case. The claims of the Patents-in-Suit are also invalid under 35 U.S.C. § 112, first paragraph, because the specification does not contain a written description of the claimed invention. The claims of the Patents-in-Suit are also invalid under 35 U.S.C. § 112, second paragraph, because the claims do not particularly point out and distinctly claim the subject matter regarded as the invention.

**Third Additional Defense
(Non-Infringement)**

Without altering the burden of proof on Plaintiff's infringement claims, Defendants do not make, use, sell, offer for sale, or import into the United States, and have not made, used, sold, offered for sale, or imported into the United States, any products or services that infringe any valid and/or enforceable claim of the Patents-in-Suit, either directly, indirectly, contributorily, literally, through the doctrine of equivalents, or otherwise, and have not induced others to infringe any valid and/or enforceable claim of the Patents-in-Suit.

**Fourth Additional Defense
(35 U.S.C. § 286)**

Plaintiff's recovery for alleged infringement of the Patents-in-Suit, if any, is limited to any alleged infringement committed no more than six years prior to the filing of its Complaint pursuant to 35 U.S.C. § 286.

**Fifth Additional Defense
(35 U.S.C. § 287)**

Any claim for damages for patent infringement by Plaintiff is limited by 35 U.S.C. § 287 to those alleged damages occurring only after sufficient notice of infringement, including as a result of the failure of Plaintiff, any predecessor-in-interest and/or their licensees to mark products embodying the inventions of the Patents-in-Suit.

**Sixth Additional Defense
(Prosecution History Estoppel)**

By reason of positions taken during prosecution of the Patents-in-Suit and/or related applications, Plaintiff is estopped and otherwise barred from asserting that any claim of the

Patents-in-Suit cover, either literally or by the doctrine of equivalents, any product or method made, used, sold, offered for sale, or imported by Defendants.

**Seventh Additional Defense
(Equitable Defenses)**

Plaintiff is barred from recovering in this suit under the doctrines of laches, estoppel, unclean hands and/or acquiescence.

**Eighth Additional Defense
(Reservation of Additional Defenses)**

Defendants reserve all additional defenses under Rule 8(c) of the Federal Rules of Civil Procedure, the Patent Laws of the United States, and any other defenses, at law and equity, that may now or in the future be available based on discovery or any other factual investigation concerning this case or any related action.

**HOME DEPOT U.S.A., INC. AND HOME DEPOT PRODUCT
AUTHORITY, LLC'S COUNTERCLAIMS**

Pursuant to Rule 13 of the Federal Rules of Civil Procedure, Counterclaim Plaintiffs Home Depot U.S.A., Inc. ("HDUSA") and Home Depot Product Authority, LLC ("HDPA") (collectively "Home Depot") hereby assert the following counterclaims against Counterclaim Defendant Lynk Labs, Inc.'s ("Lynk") First Amended Complaint for Patent Infringement ("Complaint"), as follows:

NATURE OF THE ACTION

1. Home Depot incorporates by reference Paragraphs 1-182 of its foregoing Answer and Additional Defenses as if fully pleaded herein.
2. These Counterclaims seek a declaration pursuant to the Federal Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202, that Home Depot does not infringe any valid and enforceable claim of United States Patent Nos. 10,492,251, 10,757,783, 10,091,842, 10,932,341,

10,537,001, 10,349,479, 10,652,979, 10,154,551, and 10,517,149 (collectively, the “Patents-in-Suit”), and that the Patents-in-Suit are invalid.

THE PARTIES

3. HDUSA is a Delaware corporation with its principal place of business in Atlanta, Georgia. HDP A is a Georgia limited liability company with its principal place of business in Atlanta, Georgia.

4. Lynk is a corporation incorporated in the State of Illinois with its principal place of business at 2511 Technology Drive, Suite 108, Elgin, Illinois 60124. Before then, Lynk’s principal place of business was 585 Tollgate Road, Suite E, Elgin, Illinois 60017.

JURISDICTION AND VENUE

5. This Court has subject matter jurisdiction over these Counterclaims pursuant to 28 U.S.C. § 1331 and 1338(a), the patent laws of the United States set forth at 35 U.S.C. §§ 101 *et seq.*, and the Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202.

6. Personal jurisdiction over Lynk is proper because, *inter alia*, Lynk has consented to the personal jurisdiction of this Court by commencing its action for patent infringement in this judicial district.

7. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b) and 1391(c). The foregoing is without waiver to any Home Depot arguments that this venue is not the most convenient or otherwise appropriate forum for adjudication of this action.

COUNT ONE

Declaration of Non-Infringement of the Patents-in-Suit

8. Home Depot incorporates herein and realleges, as if fully set forth in this paragraph, all of the allegations of their Counterclaims above.

9. By virtue of Lynk's filing of the Complaint herein, an actual controversy exists between Home Depot and Lynk with respect to Home Depot's alleged infringement of the Patents-in-Suit.

10. Home Depot is entitled to a judicial declaration that they have not and do not infringe directly or indirectly, literally or under the doctrine of equivalents, any valid, enforceable claim of the Patents-in-Suit.

COUNT TWO

Declaration of Invalidity of the Patents-in-Suit

11. Home Depot incorporates herein and realleges, as if fully set forth in this paragraph, all of the allegations of their Counterclaims above.

12. By virtue of Lynk's filing of the Complaint herein, an actual case or controversy exists between Home Depot and Lynk regarding the validity of the Patents-in-Suit.

13. The claims of the Patents-in-Suit are invalid for failure to satisfy one or more of the provisions in Title 35 of the United States Code, including without limitation §§ 101, 102, 103, and/or 112. For example, one or more of the references cited during prosecution of the Patents-in-Suit (as well as additional references which will be identified in discovery) anticipate and/or render the claims of the Patents-in-Suit obvious to one having ordinary skill in the art.

14. Home Depot is entitled to a judicial declaration and order that the Patents-in-Suit are invalid.

DEMAND FOR JURY TRIAL

Defendants, under Rule 38 of the Federal Rules of Civil Procedure, request a trial by jury of all claims, defenses and counterclaims so triable by right.

PRAYER FOR RELIEF

WHEREFORE, Defendants respectfully pray that judgment be entered in their favor and against Plaintiff as follows:

A. Enter judgment against Plaintiff and in favor of Defendants, thereby dismissing Plaintiff's Complaint with prejudice, and order that Plaintiff is entitled to no recovery on the Complaint;

B. Find that Defendants have not infringed and are not infringing any valid claim of the Patents-in-Suit, either directly or indirectly, literally or under the doctrine of equivalents, contributorily, willfully, or otherwise, and have not induced others to infringe the Patents-in-Suit;

C. Find that the claims of the Patents-in-Suit are invalid;

D. Find that no damages or royalties are due for any of the acts alleged by Plaintiff in its Complaint;

E. Find that this is an exceptional case pursuant to 35 U.S.C. § 285, and award Defendants their attorney fees and full costs of suit; and

F. Grant such other further relief as the Court may deem proper and just.

DATED: April 12, 2021

Respectfully submitted,

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ATTORNEYS FOR DEFENDANTS HOME
DEPOT USA, INC., THE HOME DEPOT INC.,
AND HOME DEPOT PRODUCT AUTHORITY,
LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of April 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing via electronic mail to all counsel of record. Any other counsel of record will be served by first class U.S. mail.

/s/ Aaron G. Fountain
Aaron G. Fountain